UNITED STATES OF AMERICA ATOMIC ENERGY COMMISSION

2-23-23

In the Matter of)
	Docket Nos. 50-329A
CONSUMERS POWER COMPANY) and 50-330A
(Midland Units 1 and 2)	1

Motion to Extend Time to Object to Department of Justice Request for Admissions

Pursuant to Section 2.711(a) of the Commission's Rules of Practice, 10 C.F.R. Part 2, Consumers Power Company (hereinafter "Applicant") moves the Board to extend the time for filing objections (under the procedures set forth in the Board's Second Prehearing Conference Order, Section A.2) to the Department of Justice's Request for Admission and Interrogatories as to Proposed Contentions. For the reasons set forth below, Applicant needs until the close of business March 12, 1973, adequately to review the Request and prepare its objections.

The Department's request is comprised of 232 detailed inquiries covering nearly 50 typed pages. As the counsel for the Department stated at the most recent Prehearing Conference, the Department's "whole case practically lies in the requests for admission , . . (Tr. 356) (emphasis supplied). As such, the request requires careful analysis by many Company employees of diverse disciplines, <u>e.g.</u>, legal, rate-making, marketing and engineering. Such analyses may well reveal deficiencies in the Requests which are not readily apparent to the undersigned.

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The Company did not receive a copy of the Request until the end of last week and has therefore had only four working days to date to consider the proposal. We are advised that, because of its length and complexity and its relevance to virtually every phase of the Company's electric operations, it will have to be reviewed by a large number of Company officials. The Company needs a minimum of ten additional working days to analyze the Request with the thoroughness that it requires.

To expedite the discovery process, we are today informing the Department (through the attached letter) of the presently-apparent deficiencies of its Request. However, the letter reserves Applicant's right to raise other objections by March 12, 1973, should analysis by Company personnel reveal other difficulties with these requests.

Since Applicant is prepared to respond to the unchallenged requests for admissions by April 2, 1973, the requested extension of time will not delay the discovery process of this proceeding.

WHEREFORE, Applicant respectfully moves the Board to extend time for filing objections to the Department's

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Request for Admissions to March 12, 1973.

Respectfully submitted,

Wm. Warfield Ross

Keith S. Watson

Toni K. Golden

Of Counsel:

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Harold Graves, Esquire Consumers Power Company 212 West Michigan Avenue Jackson, Michigan 49201

February 23, 1973

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CONSUMERS POWER COMPANY)		and	50-330A	
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CERTIFICATE OF SERVICE

I hereby certify that copies of APPLICANT'S MOTION TO EXTEND TIME TO OBJECT TO DEPARTMENT OF JUSTICE REQUEST FOR ADMISSIONS, dated February 23, 1973, in the above-captioned matter have been served on the following by deposit in the United States mail, first class or air mail, this 23rd day of February, 1973:

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