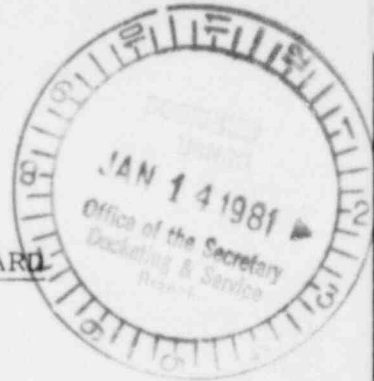


1/13/81



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)
)
DUKE POWER COMPANY)
)
(Amendment to Materials License)
SNM-1773 For Oconee Nuclear)
Station Spent Fuel Transportation)
and Storage at McGuire Nuclear)
Station))

Docket No. 70-2623

MOTION FOR EXTENSION OF TIME
TO FILE BRIEF OPPOSING EXCEPTIONS

Briefs on Exceptions filed by the staff and intervenor were filed on December 22, 1980. Pursuant to rule 2.762, NRDC's brief opposing exceptions is therefore due on January 26, 1981. However, all of NRDC's counsel are new to the case and therefore unfamiliar with the record. Ellyn R. Weiss, NRDC's lead counsel, has been continuously engaged in Commission hearings in Harrisburg, Pa., until January 9, 1981. Therefore, to allow counsel sufficient time to review the record, NRDC requests that it be granted an additional two weeks to file its brief, until February 9.


Counsel for staff, Lawrence Brenner, and counsel for intervenor, Leonard Trosten, have authorized me to state that they have no objection to t' s motion. Counsel for licensee, Michael McGarry, III, has stated that he has no objection to an extension until February 2. Mr. McGarry further requests that the Board refrain from ruling on this motion until he has the opportunity to file a reply explaining his position.

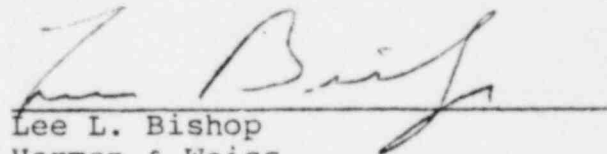
B101160200

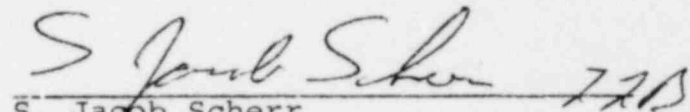
C

Wherefore, for all the above-mentioned reasons, NRDC requests that it be granted an extension to February 9, 1981, to file its brief opposing exceptions.

Respectfully submitted,


Ellyn R. Weiss


Lee L. Bishop
Harmon & Weiss
1725 I Street, N.W.
Suite 506
Washington, D.C. 20006
(202) 833-9070


S. Jacob Scherr
Natural Resources Defense Council
1725 I Street, N.W.
Suite 600
Washington, D.C. 20006
(202) 223-8210

Counsel for Natural Resources
Defense Council, Inc.

Date

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)	
)	
DUKE POWER COMPANY)	Docket No. 70-2623
)	
(Amendment to Materials)	
License SNM-1773 for Oconee)	
Nuclear Station Spent Fuel)	
Transportation and Storage)	
At McGuire Nuclear Station))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Motion for Extension of Time to File Brief Opposing Exceptions," have been mailed postage pre-paid this 13th day of January, 1981, to the following parties:

*Alan S. Rosenthal, Esq.
Chairman
Atomic Safety & Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Emmeth A. Luebke
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

*Dr. John H. Buck
Atomic Safety & Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Cadet H. Hand, Jr.
Administrative Judge
Bodega Marine Laboratory
of California
Post Office Box 247
Bodega Bay, California 94923

*Richard S. Salzman, Esq.
Atomic Safety & Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Jesse L. Riley
President
Carolina Environmental
Study Group
854 Henley Place
Charlotte, NC 28207

Marshall E. Miller
Chairman
Atomic Safety & Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Richard P. Wilson, Esq.
Assistant Attorney General
State of South Carolina
2600 Bull Street
Columbia, South Carolina 29201

Chairman
Atomic Safety & Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Chase R. Stephens
Docketing & Service Section
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

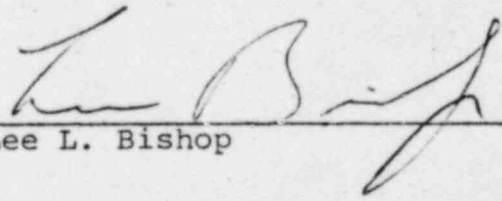
Leonard Trosten, Esquire
1333 New Hampshire Ave., N.W.
Washington, D.C. 20036

Edward G. Ketchen, Esq.
Counsel for NRC Regulatory
Staff
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Chairman
Atomic Safety & Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

William L. Porter, Esq.
Associate General Counsel
Duke Power Company
Post Office Box 33189
Charlotte, NC 28242

J. Michael McGarry, III, Esq.
Debevoise & Lieberman
1200 17th Street, N.W.
Washington, D.C. 20006



Lee L. Bishop

*hand-delivered.