

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD



In the Matter of)
DUKE POWER COMPANY)
(Perkins Nuclear Station,)
Units 1, 2 and 3))

Docket Nos. STN 50-488
50-489
50-490

24 Nov 80

APPLICANT'S MOTION FOR EXTENSION OF TIME

Intervenors filed a brief in support of exceptions on October 28, 1980. Applicant's brief is due on December 2, 1980. Applicant respectfully requests an extension of the December 2, 1980 date to and including December 31, 1980. The good cause grounds for such request are as follows:

Counsel most familiar with this case are involved in several other proceedings, one of which entails the filing of an extended brief with the Appeal Board on December 10, 1980. Accordingly, such counsel are unable to devote the necessary time to the instant brief within the time frame provided. In addition, 102 exceptions have been taken by Intervenors. While Applicant has had time to review these exceptions, inasmuch as such were filed on August 29, 1980, it was not until the submittal of Intervenors brief that Applicant was in a position to properly prepare its brief. Given the number of exceptions involved such preparation has been extremely time consuming.

Applicant has contacted counsel for the NRC Staff and is authorized to state that the Staff does not object to the


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extension of time. The NRC Staff has asked that if Applicant's time is extended, that its time be correspondingly extended to and including January 12, 1981. Applicant does not object to the Staff's request.

Applicant endeavored to contact counsel for the Intervenor by telephone on Friday, November 21 and Monday, November 24, 1980, but he was unavailable. Applicant will continue to attempt to contact counsel and will inform the Board promptly of the results of Intervenor's position on the matter. However, given the time involved and the upcoming holiday, Applicant has considered it prudent to advise this Board of its need for additional time prior to determining the views of all parties. Accordingly, the instant motion has been filed on this date.

Respectfully submitted,


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November 24, 1980

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicant's Motion for Extension of Time," dated November 24, 1980 in the above captioned matter have been served upon the following by deposit in the United States mail this 24th day of November, 1980.

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