



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of	)	Docket No. 50-376
	)	
PUERTO RICO ELECTRIC POWER	)	
AUTHORITY	)	
	)	
North Coast Nuclear Plant,	)	May 21, 1981
(Unit 1)	)	
	)	

AUTHORITY'S RESPONSE TO INTERVENOR'S REQUEST  
FOR AN EXTENSION OF TIME TO FILE BRIEF

Gonzalo Fernos and Citizens for the Conservation of Natural Resources, Inc. ("Intervenors") have filed a document entitled "Notice of Appeal and Request for an Extension of Time to File Brief Thereof" ("Pleading").

The document is apparently intended to identify the exceptions taken to the Licensing Board's Memorandum and Order of February 18, 1981, in accordance with the requirements of the first two sentences of 10 C.F.R. § 2.762(a).<sup>\*</sup> In addition,

<sup>\*</sup>/ We shall of course respond to the exceptions on whatever merits they may have in accordance with 10 C.F.R. § 2.762(b). For now, we only note that the stated exceptions are virtually unintelligible and appear to have been drafted with little regard for the requirements of the first two sentences of 10 C.F.R. § 2.762(a).

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Intervenors make two requests of the Appeal Board:

- (1) - To accept the above Appeal as timely filed and thus, to acknowledge its jurisdiction to deal with thereof.
- (2) - To hold in abeyance the thirty (30) day period to file a Brief in support of the foregoing exceptions until thirty (30) days after such time that the Department of Justice and Legislative Investigations, already underway, of Applicant's alleged corrupt operations will be made available to Intervenors.

(Pleading, pp. 2-3.)

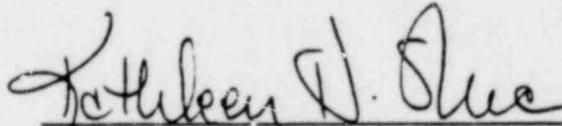
With respect to request "(1)," since the Appeal Board granted Intervenors leave to file their appeal on May 15, we assume that the Pleading will not be rejected as untimely. We do not understand Intervenors' request "to acknowledge [the Appeal Board's] jurisdiction to deal with thereof" and therefore cannot respond to it.

Applicant opposes request "(2)" for a further and indeterminate delay in filing the brief required by the third sentence of Section 2.762(a). The delay is sought primarily because of the "investigation of Applicant's operations referred to in our pleading of April 25th, 1981 . . . ."

(Pleading, p. 2.) However, the alleged connection between the "investigation" and the question on appeal from the Licensing Board's February 18 order is too attenuated to merit

consideration. We urge the Appeal Board to deny the request and direct Intervenor to file the required brief 30 days after service of the May 12 Pleading.

Respectfully submitted,

A handwritten signature in cursive script, reading "Kathleen H. Shea". The signature is written in dark ink and is positioned above a horizontal line.

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Attention: Docketing and  
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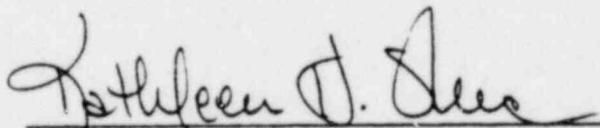
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