

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	Docket No. 50-367
	)	
NORTHERN INDIANA PUBLIC SERVICE COMPANY	)	(Construction Permit Extension)
	)	
(Bailly Generating Station, Nuclear-1)	)	July 27, 1981
	)	

NORTHERN INDIANA PUBLIC SERVICE COMPANY'S  
RESPONSE IN OPPOSITION TO ILLINOIS' MOTION  
FOR EXTENSION OF TIME

On June 22, 1981, Northern Indiana Public Service Company (NIPSCO) filed its Third Set of Interrogatories to Illinois. Responses were due July 13, 1981. On that date, Illinois mailed a "Motion for Extension of Time" to the Board and parties. The Motion requests an extension to July 27, 1981, of the time for responding to the interrogatories. In support of the request, counsel for Illinois state that "during the last two weeks the undersigned attorneys have been out of the office due to illness and to responsibilities in other cases, thus limiting the time necessary to respond to NIPSCO's interrogatories." This, of course, is the same excuse offered in Illinois' July 7, 1981 Motion for Extension of Time to answer NIPSCO's Second Set of Interrogatories. It is in our view insufficient. Counsel also state that "[t]he interrogatories are all of a technical nature, requiring consultation with others;" this is allegedly another fact supporting the requested extension. There is

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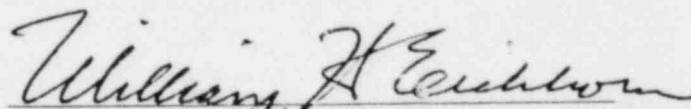
nothing unusual in interrogatories of "a technical nature";  
in fact, that may be said to be the usual nature of interrogatories  
in NRC proceedings. Certainly, the need for counsel to consult  
"with others" in order to answer interrogatories must be the  
usual case and cannot in itself justify delayed responses.

NIPSCO opposes the Motion for Extension of Time.

Respectfully submitted,

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