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USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

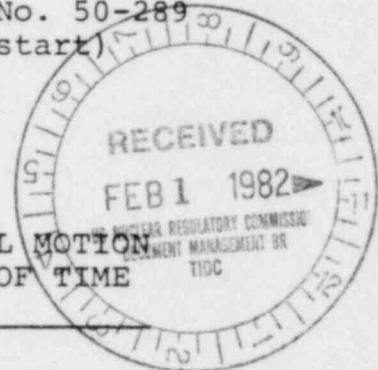
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BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of )  
 )  
METROPOLITAN EDISON COMPANY )  
 )  
(Three Mile Island Nuclear )  
Station, Unit No. 1) )

Docket No. 50-289  
(Restart)



LICENSEE'S REPLY TO UCS MOTION AND SUPPLEMENTAL MOTION  
FOR RECONSIDERATION OF MOTION FOR EXTENSION OF TIME  
TO FILE EXCEPTIONS

In response to a motion filed by UCS on December 18, 1981, the Appeal Board extended the time for filing exceptions to the Licensing Board's December 14, 1981, partial initial decision until February 1, 1982. On January 21, 1982, UCS filed a motion for further extension of the deadline for filing exceptions until February 16, 1982 (or until March 1, 1982, in the event the Commission granted UCS' motion to extend the time for filing comments on immediate effectiveness of the Licensing Board's decision until February 15, 1982).<sup>1/</sup> This motion was denied by the Appeal Board in an order dated January 22, 1982.

On January 26, 1982, UCS filed with the Appeal Board a supplement to and request for reconsideration of its January 21 motion for extension of time to file exceptions. Licensee opposes this request.

<sup>1/</sup> Licensee's counsel has been informed by telephone by the Office of the Secretary of the Commission that the Commission is today issuing an order denying UCS' motion for further extension of the comment period.

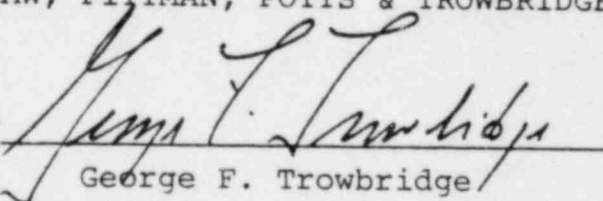
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UCS asserts in its supplemental filing that its motions to the Commission and the Appeal Board for extensions of time were "compelled by the unusual number of pleadings required at this stage of the proceeding, and the resulting prejudice of UCS' ability to participate in a meaningful way".<sup>2/</sup> UCS does not identify in its motion for reconsideration the "unusual number of pleadings" to which it refers. Licensee assumes, however, that UCS has reference to the same documents and workload urged by UCS upon the Commission as the basis for the extension of the deadline for filing comments on immediate effectiveness. Licensee has addressed each of these bases in response to UCS' filings with the Commission, none of which in Licensee's view justify an extension of the six-week period already allowed by the Appeal Board for the filing of exceptions. Copies of Licensee's responses to UCS' filings with the Commission dated January 5 and January 25, 1982, are enclosed with this reply.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By

  
George F. Trowbridge

Dated: January 27, 1982

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<sup>2/</sup> As pointed out by the Appeal Board in its January 22 decision, UCS did not in its January 21 motion allege that it would be unable to comply with the schedule established by the Appeal Board for exceptions or that its ability to litigate its position effectively would be in any way compromised. UCS' allegation is made for the first time to the Appeal Board in its motion for reconsideration.

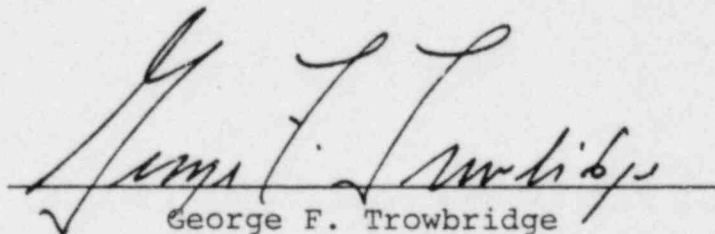
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NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of	)	
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METROPOLITAN EDISON COMPANY	)	Docket No. 50-289
	)	(Restart)
(Three Mile Island Nuclear	)	
Station, Unit No. 1)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Reply to UCS Motion and Supplemental Motion for Reconsideration of Motion for Extension of Time to File Exceptions," dated January 27, 1982, were served upon those persons on the attached Service List by deposit in the United States mail, postage prepaid, or as noted by asterisk (\*) by hand delivery, this 27th day of January, 1982.

  
George F. Trowbridge

Dated: January 27, 1982

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Appeal Board

In the Matter of )  
 )  
METROPOLITAN EDISON COMPANY ) Docket No. 50-289 SP  
 )  
(Three Mile Island Nuclear ) (Restart)  
Station, Unit No. 1) )

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