

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Peter B. Bloch, Chairman
Jerry R. Kline
Hugh C. Paxton

WISCONSIN ELECTRIC POWER COMPANY

Docket Nos. 50-266-OLA
50-301-OLA

(Point Beach Nuclear Plant, Units 1 and 2)

February 5, 1982

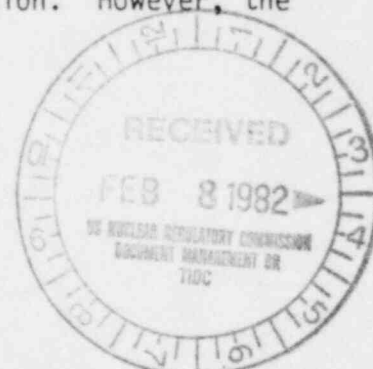
MEMORANDUM AND ORDER
(Concerning an Extension of Time)

On February 1, 1982, Wisconsin's Environmental Decade (Decade) filed a Motion for Continuance, and three days later it amended its own motion. As part of its amended motion, it requested that the deadline for filing discovery requests should be postponed until three days after the Board decides its motion for a continuance.

The purpose of this Memorandum and Order is to deal only with the aspect of the amended motion which requests an extension of time for filing discovery requests. A decision on the remainder of the motion will await responses to the motion.

We have decided that the grounds for a continuance do not support indefinite postponement of the deadline for filing first round discovery requests. To the extent that new information may be derived from the recent incident at the Ginna plant, that information could be used as a basis for a motion to reopen discovery or to admit a new contention. However, the

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possibility of deriving new information from Ginna or from Three Mile Island I, whose steam generator has recently been found to be suffering from a corrosion problem (as Decade argues), is not sufficient ground for delaying the close of discovery. To reduce possible inconvenience to Decade from its feelings of uncertainty about the need to file, it may file its first round interrogatories by no later than February 10, 1982.

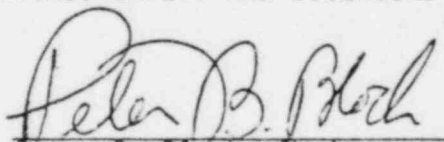
The parties also should know that the Commission's staff recently informed us that the Ginna incident did not involve a sleeved tube. It also indicated that there would be formal notification to the Board about the Ginna incident. This notice should permit the parties and the Board to determine the possible relevance of that incident.

It is therefore

ORDERED

Wisconsin's Environmental Decade is granted an extension of time until February 10, 1982, within which to file its first round discovery requests.

FOR THE
ATOMIC SAFETY AND LICENSING BOARD


Peter B. Bloch, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland