

GRANTED 5/4/82

April 30, 1982

For the Atomic Safety and  
Licensing Board

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Ivan W. Smith, Chairman

BEFORE THE ATOMIC SAFETY AND LICENSING 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

NRC STAFF'S MOTION FOR AN EXTENSION  
OF TIME IN WHICH TO RESPOND TO THE  
MOTION OF DUKE POWER COMPANY TO  
WITHDRAW APPLICATION WITHOUT PREJUDICE

Pursuant to 10 C.F.R. § 2.711 and 2.730, the NRC Staff ("Staff") hereby moves for an extension of time of 14 days, until May 24, 1982, in which to respond to the "Motion of Duke Power Company to Withdraw Application Without Prejudice" ("Motion"). In support hereof, the Staff states as follows:

1. Applicant's Motion was filed on April 19, 1982, in accordance with the Licensing Board's Order of April 1, 1982 ("Order"). Pursuant to the Licensing Board's Order, the Intervenor's response to the Applicant's Motion is due on or before May 4, 1982, and the Staff's response is due to be filed within five days after service of the Intervenor's response (Order, at 2).

2. Counsel for the Staff has been advised by counsel for Intervenor that the Intervenor's response was filed and served by mail on April 29, 1982. Accordingly, pursuant to 10 C.F.R. § 2.710 the Staff's response is due to be filed on or before May 10, 1982.

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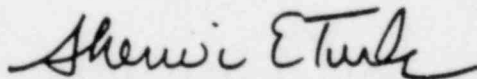
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3. Counsel for the Staff is scheduled to be at an NRC hearing in New Orleans, Louisiana, from May 2, 1982 to May 14, 1982, and will be unable to prepare and file the Staff's response within the time permitted by the Licensing Board's Order. In addition, counsel has not yet received the Intervenor's response to the Applicant's Motion, and anticipates that such response will not be received prior to counsel's departure for New Orleans. Accordingly, an extension of time is also required to permit Staff counsel to review Intervenor's response prior to filing the Staff's response to Applicant's Motion.

4. Counsel for the Staff has conferred with Counsel for Applicant and Counsel for Intervenor and is authorized to state that those parties have no objection to the granting of the instant Motion.

WHEREFORE, pursuant to 10 C.F.R. §§ 2.711 and 2.730, the Staff hereby moves for an extension of time of 14 days, until May 24, 1982, in which to respond to the Applicant's Motion.

Respectfully submitted,

A handwritten signature in cursive script, reading "Sherwin E. Turk".

Sherwin E. Turk  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 30th day of April, 1982