

10/17/78

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of) Docket No. 50-344
)
PORTLAND GENERAL ELECTRIC) (Proposed Amendment to Facility
COMPANY, et al.,) Operating License NPF-1 to Per-
) mit Storage Pool Modifications)
(Trojan Nuclear Plant))
_____)

INTERVENOR STATE OF OREGON'S MOTION FOR AN
EXTENSION OF TIME IN WHICH TO FILE EXCEPTIONS
TO THE OCTOBER 5, 1978 ORDER OF THE
ATOMIC SAFETY AND LICENSING BOARD

I.

Intervenor State of Oregon, acting by and through the Oregon Department of Energy and the Energy Facility Siting Council, moves for an extension of time until November 13, 1978 in which to file exceptions to the October 5, 1978 decision of the Atomic Safety and Licensing Board in this matter.

This motion is made on the following grounds:

1. We are informed that the decision of the Atomic Safety and Licensing Board was served on October 5, 1978.
2. The staff of the Energy Facility Siting Council, through the courtesy of the Applicant, Portland General Electric Company, received a copy of the Atomic Safety and Licensing Board's order late in the day on October 10, 1978.
3. The Oregon Energy Facility Siting Council, as of October 13, 1978, has not as yet formally received a copy of the decision, and has not had any opportunity to review the order.

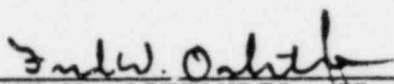
1/INTERVENOR STATE OF OREGON'S MOTION FOR AN EXTENSION OF TIME

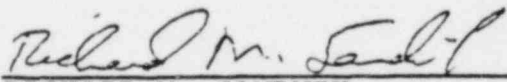
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4. Subject to the Appeal Board's approval, the State of Oregon proposes to file its exceptions, if any, to the decision of the Safety and Licensing Board within one week of the November 6 Siting Council meeting, by November 13, 1978.

5. The Affidavit of Richard M. Sandvik in support of this motion is attached hereto.

Respectfully submitted,


FRANK W. OSTRANDER, JR.
Assistant Attorney General
Of Attorneys for the State of Oregon


RICHARD M. SANDVIK
Assistant Attorney General

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AFFIDAVIT OF RICHARD SANDVIK

I, RICHARD M. SANDVIK, attorney for the Energy Facility Siting Council and the Department of Energy of the State of Oregon, being first duly sworn, provide the following information with regard to the State of Oregon's motion for an extension of time in which to file exceptions to the decision of the Atomic Safety and Licensing Board in this proceeding:

1. The staff of the Energy Facility Siting Council, through the courtesy of the Applicant, Portland General Electric Company, received a copy of the Atomic Safety and Licensing Board's order late in the day on October 10, 1978.

2. The Energy Facility Siting Council is an unpaid citizen body which meets once a month. At its October 10, 1978 meeting, the Siting Council did not have a copy of the Atomic Safety and Licensing Board's decision and did not have the benefit of any analysis or recommendation by the staff of the Department of Energy. The Siting Council could therefore take no action regarding any decision to file exceptions or a motion to stay the Atomic Safety and Licensing Board's decision.

1/AFFIDAVIT OF RICHARD SANDVIK

3. The Energy Facility Siting Council is scheduled to meet again on November 6, 1978, at which time the staff of the Department of Energy and the legal counsel to the Siting Council will be able to present an analysis of the Atomic Safety and Licensing Board's 75-page decision, and will recommend possible courses of action to the Siting Council.

Richard M. Sandvik
RICHARD M. SANDVIK

SUBSCRIBED AND SWORN TO before me this 18th day of
October, 1978.

Alice M. MacDonald
Notary Public for Oregon
My Commission Expires: 1-21-80

CERTIFICATE OF SERVICE

I hereby certify that true copies of the foregoing motion by the State of Oregon for an extension of time to file exceptions to the order of the Atomic Safety and Licensing Board, and the supporting affidavit of Richard Sandvik were served on the following parties of record by deposit in the United States mail, postage prepaid, on the 18th day of October, 1978:

Sheldon J. Wolfe, Esq., Chairman
Atomic Safety and Licensing Bd.
U.S. Nuclear Regulatory Comm.
Washington, D. C. 20555

Dr. Frederick P. Cowan, Member
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Frederick J. Shon, Member
Atomic Safety and Licensing Bd.
U.S. Nuclear Regulatory Comm.
Washington, D. C. 20555

Joseph R. Gray, Esq.
Counsel for NRC Staff
U.S. Nuclear Regulatory Comm.
Washington, D. C. 20555

Columbia County Courthouse
Law Library, Circuit Court Room
St. Helens, Oregon 97051

Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory Comm.
Washington, D. C. 20555

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