

NRC PUBLIC DOCUMENT ROOM
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

11/17/78



BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
DAIRYLAND POWER COOPERATIVE) Jocket No. 50-409
(La Crosse Boiling Water Reactor)) (SFP License Amendment)

NRC STAFF MOTION TO EXTEND TIME FOR SUMMARY DISPOSITION

The NRC Staff moves the Atomic Safety and Licensing Board to extend the time for submission of Motions for Summary Disposition against Intervenors, if appropriate, to after the expected issuance of the Staff's Safety Evaluation (SE) and Environmental Impact Appraisal (EIA).

During the prehearing conference held August 17, 1978, the Staff advised the Board that the SE and EIA could be expected about mid-November, 1978. Subsequently, the Board issued a Memorandum and Order which, inter alia, set a November 15, 1978 date for submission of Summary Disposition Motions. This date was extended to November 27, 1978 after an extension of time for discovery was granted by the Board.

The ability of the Staff to submit a motion for summary disposition depends on the Staff completion of its technical and environmental review. As we informed the Board on October 27, 1978, it does not appear that the Staff's SE or EIA will be complete until January, 1979. The question and answer process between the Staff and the Applicant is

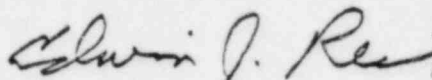
781212 0228

G

continuing. For these reasons it is not appropriate to file a motion for summary disposition at this time. See Duke Power Co. (McGuire Nuclear Station, Units 1 and 2), 5 NRC 680 (1977).

Because of this change in schedule, the Staff requests a change in date for Summary Disposition Motions to January 31, 1979.

Respectfully submitted,



Edwin J. Reis
Assistant Chief Hearing Counsel

Dated at Bethesda, Maryland
this 17th day of November, 1978

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

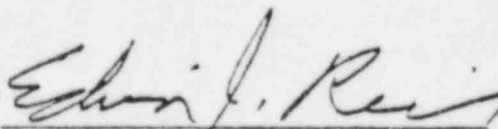
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
DAIRYLAND POWER COOPERATIVE)	Docket No. 50-409
(La Crosse Boiling Water Reactor))	(SFP License Amendment)

NOTICE OF APPEARANCE

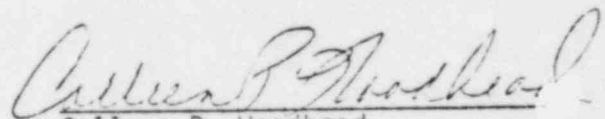
Notice is hereby given that the undersigned attorney herewith enters an appearance in the captioned matter. In accordance with §2.713, 10 CFR Part 2, the following information is provided:

Name	- Edwin J. Reis
Address	- Office of the Executive Legal Director U.S. Nuclear Regulatory Commission Washington, D.C. 20555
Telephone Number	- Area Code 301-492-7505
Admissions	- Court of Appeals for the State of New York District Court for the District of Columbia
Name of Party	- NRC Staff U.S. Nuclear Regulatory Commission Washington, D.C. 20555


Edwin J. Reis
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 17th day of November, 1978

Docketing and Service Section*
U.S. Nuclear Regulatory Commission
Washington, D. C: 20555

A handwritten signature in cursive script, reading "Colleen P. Woodhead". The signature is written in dark ink and is positioned above a horizontal line.

Colleen P. Woodhead
Counsel for NRC Staff