

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'82 OCT -8 P2:40

Before Administrative Judges:

Peter B. Bloch, Chairman
Dr. Jerry R. Kline
Mr. Frederick J. Shon

OFFICE OF SECRETARY
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SERVED OCT 7 1982

Docket Nos. 50-440-OL
50-441-OL

In the Matter of

CLEVELAND ELECTRIC ILLUMINATING
COMPANY, et al.

(Perry Nuclear Power Plant, Units 1 & 2)

October 8, 1982

MEMORANDUM AND ORDER
(Concerning Request to Extend Discovery on Issue #1)

On September 30, 1982, Sunflower Alliance Inc., et al., (Sunflower) requested an extension of discovery time on Issue #1, citing as good cause for its motion a variety of unfinished items with respect to that contention. However, the purpose of a discovery cut-off date is to require a party to complete as much discovery as is feasible before that date. The fact that Sunflower will obtain additional information in the future will permit it to argue that it has good cause for late-filing of interrogatories with respect to that material, providing that the information was not previously available to it.

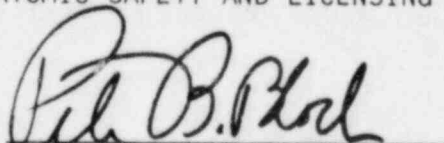
We will not deprive Sunflower of its fair opportunity to seek discovery of matters not previously known to it, but that is not a reason to extend the deadline on matters already known to it.

Therefore, in consideration of the entire record, it is

ORDERED:

That Sunflower Alliance Inc., et al.'s September 30, 1982, request for an extension of time for discovery on Issue #1, is denied.

FOR THE
ATOMIC SAFETY AND LICENSING BOARD


Peter B. Bloch, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland

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