

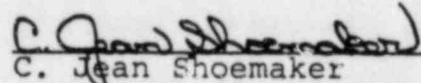
The explicit and sole purpose of our January 31 order was to give Joint Intervenors a fair opportunity to cure the specified format deficiencies in their original brief; it was decidedly not an invitation to add further substantive argument.^{1/} Ordinarily, we would request Joint Intervenors to show cause why we should not strike the last 14-page portion of its resubmitted brief and treat the exceptions to which it relates as waived.^{2/} However, the arguments made in those 14 pages relate to certain of Joint Intervenors' properly filed exceptions, and the delay in filing does not prejudice any other party because the time for filing responsive briefs begins to run from the service date of the resubmitted brief. Consequently, with an admonition to Joint Intervenors against any such future efforts, we will treat their "new" brief as though it were properly filed in all respects.

^{1/} We are troubled by the manner in which the brief was enlarged -- i.e., without any attempt by Joint Intervenors to request leave to do so. If a party needs additional time for preparation of its brief, our rules permit the party to request it (see 10 CFR § 2.711), and, absent serious time constraints, we are generally receptive to reasonable, well-founded requests for more time.

^{2/} Cf. Public Service Electric and Gas Co. (Salem Nuclear Generating Station, Unit 1), ALAB-650, 14 NRC 43, 49-50 (1981), and cases cited.

It is so ORDERED.

FOR THE APPEAL BOARD


C. Jean Shoemaker
Secretary to the
Appeal Board