

RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	Docket Nos 50-440-OL
)	50-441-OL
CLEVELAND ELECTRIC ILLUMINATING CO)	
et al)	
)	
(Perry Nuclear Power Plant Units)	
1 and 2))	

SUNFLOWER ALLIANCE INC. APPLICATION TO EXTEND
DISCOVERY TIME ON CONTENTION ONE

Sunflower Alliance Inc., an intervenor herein, moves the Honorable Atomic Safety & Licensing Board for its order to extend for an indefinite period of time the right of Sunflower to obtain discovery on issue one.

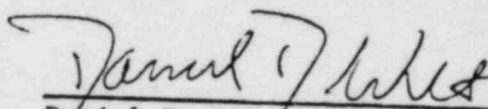
There are several reasons for this request. First of all, the issue is by no means ready for hearing as the final emergency plans are not yet in place. Once these plans have been filed, Sunflower must have the right to review these plans and to have additional discovery on these plans in order to produce evidence for the eventual hearing on issue one. Since there is no hearing date yet in place for this issue, no one (Applicant, Staff or Intervenors) would be prejudiced by permitting the time for discovery to remain open on this contention. This procedure would also eliminate the need for petitioning this Board for relief if and when the plans are forthcoming.

Secondly, this intervenor has filed a series of discovery requests directed to Lake County. This intervenor has never received any responses. The undersigned has been in communication with Donald Ezzone, attorney for Lake County, who has promised the undersigned responses. Yet, the responses

have yet to appear at least to the undersigned. In one of Applicant's responses Applicant makes reference to a response filed by Lake County. If Lake County has filed a response and sent it only to Applicant, this intervenor must protest. If on the other hand, no responses have been filed, this intervenor is entitled to receive those responses and should be entitled to file for additional discovery based on those responses. The delay, if any, does not rest with this intervenor and this intervenor does not believe that its rights should be prejudiced.

This issue is not ready for trial and won't be for the foreseeable future. There is no reason to terminate discovery at this early time on this particular issue. Therefore, this intervenor requests that this Board order that discovery on issue one remain open for an indefinite time in the future or until further order of the Board.

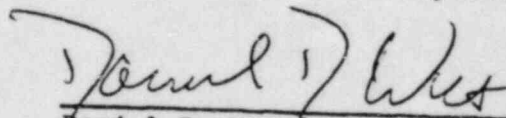
Respectfully submitted,



Daniel D. Wilt, Esq.
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PROOF OF SERVICE

The undersigned certifies that a copy of this Application has been sent to all persons on the Service List on this 30th day of September, 1982.



Daniel D. Wilt, Esq.
Attorney for Sunflower Alliance Inc.