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UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION 82 NOV -2 AN 1:51

ATOMIC SAFETY AND LICENSING APPEAL BOARD CFFICE OF SECRETARY Administrative Judges: DUCKETING & SERVICE BRANCH

Gary J. Edles, Chairman Dr. John H. Buck Christine N. Kohl

In the Matter of

METROPOLITAN EDISON COMPANY, ET AL.

(Three Mile Island Nuclear Station, Unit No. 1) Docket No. 50-289 - SP (Management Phase)

ORDER

November 1, 1982

Licensee requests that the time for filing its brief be extended 11 days, to November 15, 1982. It also seeks a waiver of the 70-page limit on briefs and permission to file a 150-page brief. In support of these requests, licensee notes that (1) it is responding to a total of about 170 pages of appellant briefs; (2) it is preparing for the November 9 oral presentations to the Commission on whether the Licensing Board's decision should be "immediately effective"; and (3) appellants were granted similar extensions. The NRC staff has no objection to licensee's requests, providing that the time for filing the staff's brief is extended until November 19. $\frac{1}{}$ The Aamodts expressed no comment on the motion, and no other intervenor replied to it.

We grant licensee's request for an extension of time in which to file its brief. As licensee points out, we granted similar requests to appellants, and no prejudice to any party appears likely to result from this extension. We also extend the time for filing the staff's brief to November 19, in accordance with its comments in reply to licensee's motion.

We are not disposed, however, to grant licensee's request to more than double the size of the brief it is permitted to file under the Commission's Rules of Practice. We are sensitive to the task of responding to four briefs, each discussing many issues in this extensive proceeding. But licensee has not provided the specificity necessary to establish "good cause" for such a large waiver of the page limitation. See 10 CFR § 2.762(e). $\frac{2}{}$ We therefore grant

<u>2</u>/ Less than two weeks before licensee filed its motion, it notified us by letter of its intention to file its brief on November 4 and "to abide by the 70-page limitation."

2

<u>1</u>/ Upon receipt of licensee's motion on October 27, we notified appellants and the staff by telephone that any responses to the motion should be in our hands by close of business Friday, October 29.

its request in part and permit it to file a brief no greater than 110 pages. If, after making reasonable efforts to comply with this limitation, licensee is nonetheless unable to make all of its arguments within 110 pages, it may timely request a further waiver, setting forth in detail why it is necessary. $\frac{3}{}$

Licensee's motion for an extension of time to November 15, 1982, in which to file its brief is <u>granted</u>; the time for filing the NRC staff's brief is extended to November 19, 1982. Licensee's motion for a waiver of the page limitation on briefs is <u>granted in part</u>; it may file a brief not in excess of 110 pages.

It is so ORDERED.

FOR THE APPEAL BOARD

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Secretary to the Appeal Board

3/ We extended a similar invitation to appellant TMIA in an unpublished order issued September 10, 1982.

3