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March 13, 1983

Robert K. Gad, III, Esquire
Ropes and Gray
225 Franklin Street
Boston, MA 02110

DOCKET NUMBER 50-309
PROD. & UTIL. FAC.

Dear Mr. Gad:

Thank you for returning my call of this past Thursday (the 11th). I was disappointed to learn that there will be approximately two more weeks' delay in your response. Such disappointment relates to the following:

1. Our first set of interrogatories pursues some very basic information—such as an identity and description of the means and methods by which MYA plans to pursue its proposed d/r/c scheme. Yesterday we received interrogatories from NRC Staff Counsel Mr. Goddard. A number of such interrogatories cannot be answered unless and until we gain the basic information from you, and have had the opportunity to have it reviewed and studied. Thus MYA's delay is preventing SMP from proper and timely response to the NRC Staff Counsel's discovery.

2. Our first set of interrogatories was served on or about October 27, 1982. I spoke with Mr. Dignan in early January of this year, and in response to a question from me he stated that our interrogatories would be taken as served upon MYA's attorneys as of the first day of discovery, which turned out to be February 8, 1983, with a response due February 22, 1983, or shortly thereafter. Thus I fail to understand your assertion that the State of Maine's discovery, which was not even mailed until the 22nd, could have impeded MYA's timely response to our discovery.

In any event and to conclude, I will not put you to the burden of a Motion for Enlargement of Time for several reasons, most of which we discussed. Such Motion would be several weeks late anyway and certainly not represent the best use of your time in this proceeding. More to the point, however, I anticipate that SMP will need enlargements of time to deal with discovery from you and Mr. Dignan, and I agree to the probable thirty-day enlargement here (from February 22nd to late March) in the hope and upon the trust that you will show us the indulgence and cooperation that we now show you.

If you have any questions upon the foregoing, please do not hesitate to call me.

All kind regards,

David Santee Miller
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