

March 18, 1983

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

SECRETARY OF LICENSING & SERVICE BRANCH

In the Matter of)

PUBLIC SERVICE COMPANY OF)
NEW HAMPSHIRE, et al.)

Docket Nos. 50-443
50-444

(Seabrook Station, Units 1)
and 2))

NECNP MOTION TO EXTEND EMERGENCY PLANNING DISCOVERY DEADLINE

On November 17, 1982, the Licensing Board admitted certain of NECNP's contentions related to emergency planning. At no time did the Board establish a schedule or deadline for discovery on these contentions.

On February 4, 1983, NECNP served on Applicants its first set of interrogatories and request for production of documents related to these emergency planning contentions. NECNP received written responses from the Applicants on February 28, 1983. After receiving these responses, NECNP made arrangements with the Applicants to review relevant documents. These arrangements were first made during the week of March 7-11, 1983, and finalized during the week of March 14-18, 1983. NECNP and the Applicants agreed that Applicants would simply send NECNP copies of certain identified documents. No date was set for Applicants to send or NECNP to receive the documents. Without the documents, it is impossible for NECNP fully to evaluate the Applicants' discovery responses or to formulate further discovery requests.


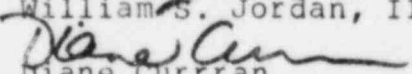
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By order dated March 16, 1983, the Licensing Board for the first time established a deadline for discovery on these emergency planning contention. It directed that all such discovery be filed no later than March 17, 1983. This order was served on NECNP by Mailgram. The Mailgram indicates that transmission of the order was completed at 23:55 EST, five minutes before midnight on March 16. NECNP received the order at approximately 12:30 p.m. on March 17, 1983.

NECNP was unable on this short notice to prepare and file further discovery requests by March 17. Even if we were able to do so, it would not be a particularly useful exercise since the next round of discovery requests will be most productive if based on the documents that Applicants have already agreed to provide to NECNP. If discovery is to serve its purpose of refining and streamlining the issues and improving the quality of the ultimate substantive decision, the deadline for final discovery requests should allow a reasonable amount of time to evaluate the Applicants' documents.

For these reasons, NECNP moves that the Board extend until May 17, 1983, the deadline for final discovery requests related to the emergency planning contentions admitted by the Board on November 17, 1982.

Respectfully submitted,


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