

On January 17, the NRC Staff sent I & E Report 82-12 to the ASLB and parties. Based on the Board's June 24, 1982 Order and providing for five (5) days after service, discovery on Quadrex issues terminates on April 25.

The Attorney General of Texas, desiring an effective and comprehensive participation in Phase II of this proceeding, cannot achieve such participation within the constraints of the current deadline.

II. Discussion

Since taking office on January 3, 1983, General Mattox has worked earnestly to achieve a transition. In addition, he is involved in the Legislative budget-setting process. Preparing a budget and appearing before Legislative committees requires a major effort by both General Mattox and his staff.

The South Texas Project licensing proceeding is a matter that has been under consideration at the staff level of General Mattox's office since late January, 1983. Only recently, however, has General Mattox had the opportunity to turn his attention to the role his office wishes to play in Phase II of this proceeding.

The materials relevant to Phase II are voluminous. The Quadrex Report, the March 1982 Bechtel assessment of the Quadrex Report, the final report by Bechtel, the Brown and Root response to the Quadrex Report, and the NRC I & E report on Quadrex run to thousands of pages and concern highly

technical matters. To develop sufficient staff familiarity with the substance and implications of these reports is a major undertaking.

In view of the scheduled discovery deadline, there is insufficient time available to the Attorney General to participate effectively and comprehensively in this crucial phase of the licensing proceeding.

Pursuant to 10 CFR §2.711, the Attorney General of Texas hereby moves the Atomic Safety and Licensing Board on the proceeding to grant an additional ninety days of time for discovery.

While recognizing this motion could possibly delay the scheduling of hearings, the Attorney General argues that, as a matter of comity and in the interest of developing a complete record, the Atomic Safety and Licensing Board should respond to the unique circumstances created by the electoral process in the State of Texas and the heavy burden placed on a new office holder in a statewide position.

Since the scheduled date for start-up of the South Texas Project is well in the future and since the matters on which the Commission initially required an expedited ruling have already been dealt with, save only the issuing of a partial initial decision, a delay in the Phase II hearing would have no impact on either the operating date or the mandate from the Commission to this Atomic Safety and Licensing Board.

III. Conclusion and Prayer

The Attorney General of Texas requests a ninety day extension of the present discovery deadline.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of Attorney General of Texas' Motion for Extension of Discovery Deadline date April 21, 1983, has been served on the following individuals and entities by Express Mail (*) or by deposit in the United States Mail, first class, postage prepaid, on this 21st day of April, 1983.

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