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LILCO, September 12, 1984

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'84 SEP 14 A11:36

Before the Atomic Safety and Licensing Board

OFFICE OF STAFF COUNSEL  
DOCKETING & SERVICE  
BRANCH

In the Matter of	)	
	)	
LONG ISLAND LIGHTING COMPANY	)	Docket No. 50-322-OL-3
	)	(Emergency Planning Proceeding)
(Shoreham Nuclear Power Station,	)	
Unit 1)	)	

LILCO'S RESPONSE TO NRC STAFF MOTION FOR EXTENSION OF  
TIME TO FILE RESPONSE TO LILCO'S SUMMARY DISPOSITION MOTIONS

On August 6, Long Island Lighting Company filed a Motion for Summary Disposition on the so-called "legal authority contentions" (Suffolk County Contentions 1-10 in this proceeding). At a conference of counsel on August 8, the Board set a schedule for response, permitting other parties to respond on September 17, forty days from the date of LILCO's Motion.

The Staff's pending motion requests a two-week extension of the Staff's time to respond, advancing as one reason the fact that counsel previously unfamiliar with this case has been recently assigned responsibility for drafting its papers. LILCO does not object to the Staff's request. LILCO accepts at face value the Staff's representation that the amount of additional time requested is needed to prepare its papers adequately, and believes that adequate preparation serves the process well. In addition, the requested extension would not prejudice the schedule since the findings-drafting process will still be underway during this

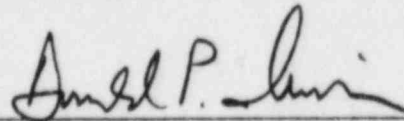
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entire period. Further, there is a positive virtue to the Staff's filing last: traditionally, the Staff has performed an assimilative and distilling function on issues in controversy in the hearing, reflecting and evaluating the other parties' views. Particularly given the relatively unconventional nature of the pending issues, LILCO believes that the Staff's performing this traditional role, which presupposes its filing last, would be of benefit to the Board.

LILCO opposes, however, further extension of time for Suffolk County or New York State, as was implicitly requested in their responses to Staff counsel. Suffolk County's and New York State's present response times are exactly what they asked for on August 8 -- 40 days, or twice the period normally allowed under the Rules of Practice. The Board granted this extended time over LILCO's objection. Tr. 14,034-035. Neither Suffolk County nor New York State has shown any good cause why this already extended period should be further protracted.

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY



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DATED: September 12, 1984

CERTIFICATE OF SERVICE

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station, Unit 1)  
(Emergency Planning Proceeding) Docket No. 50-322-OL-3A11:36

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I hereby certify that copies of LILCO'S RESPONSE TO NRC STAFF MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO LILCO'S SUMMARY DISPOSITION MOTIONS were served this date upon the following by first-class mail, postage prepaid, or by hand (one asterisk), or by Federal Express (two asterisks).

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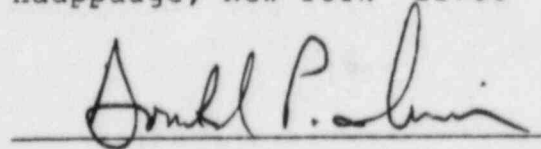
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A handwritten signature in cursive script, reading "Fabian G. Palomino", is written over a horizontal line.

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