

836

DOCKETED
USNRC

'85 MAR -1 P2:57

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

February 27, 1985

James P. Gleason, Chairman
Atomic Safety and Licensing Board
513 Gilmore Drive
Silver Spring, MD 20901

Dr. Jerry R. Kline
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Mr. Glenn O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re Cleveland Electric Illuminating Co. (Perry Nuclear Power
Plant, Units 1 and 2), Docket Nos. 50-440 and 50-441 *OL*

Gentlemen:

Please accept the attached OCRE Response to Applicants' Motion for Summary Disposition of Issue 16. We realize that this response was due on February 25, 1985. However, it was not possible to finish the response on time, despite our diligent attempt to do so. As can be seen, this response has entailed a massive effort involving review of numerous technical documents, many of which have only been made available by Applicants within the month, such as the 4 volume DR/QR Report.

OCRE was also diligent in its attempts to obtain an extension of time from the Board. The undersigned OCRE Representative telephoned the other parties in order to gain their concurrence. Staff does not object to an extension; Applicants object if the extension would affect the Board's adopted schedule. OCRE telephoned the Board on Friday, February 22 and on Monday, February 25 seeking formal granting of the extension. OCRE was informed that our request was "noted", but no actual grant or denial was given.

OCRE is confident that the 2 day delay in this filing will not adversely affect the hearing schedule. Refusal of the response, on the other hand, will adversely affect OCRE's rights in this proceeding. We are sorry that any delay was necessary, but it was impossible to meet the February 25 deadline under the conditions imposed.

Sincerely,

8503050398 850227
PDR ADCK 05000440
G PDR

Susan L. Hiatt

Susan L. Hiatt

DS03