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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

'92 OCT -6 A8:37

Morton B. Margulies, Chairman
Dr. James H. Carpenter
Dr. Peter S. Lam

| | | |
|---|---|------------------------------------|
| In the Matter of | * | Docket No. 50-446-CPA |
| Texas Utilities Electric Company | * | ASLBP No. 92-668-01-CPA |
| | * | (Construction Permit Amendment) |
| (Comanche Peak Steam Electric Station, Unit 2) | * | October 5, 1992 |

MOTION FOR EXTENTION OF TIME TO FILE BRIEF
BY SANDRA LONG DOW dba DISPOSABLE WORKERS
OF COMANCHE PEAK STEAM ELECTRIC STATION AND R. MICKY DOW

I.

Background

On September 11, 1992, the ASLB issued a memo and order wherein all parties to the above styled and numbered action were ordered to submit by October 5, 1992, petitions, supplements to existing petitions, and/or contentions.

II.

Reasons For Request

On September 3, 1992, while on a trip, regarding collateral issues and matters, to the Denver, Colorado area; and in the active course of investigation and research, R. Micky Dow was apprehended, in highly suspect circumstances by unknown law enforcement officials, and confined in the Lincoln County Jail in Hugo, Colorado. The aforesaid Dow had with him, in his vehicle,

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at that time, his computer, printer, case notes and the rough draft of the pleadings required for filing, in order to complete them for filing upon the conclusion of his trip.

The suspect conditions of the Dow apprehension are clearly indicative of interference by both the utility and agencies of the United States Government. These are not allegations, but averments which are already substantiated on the public record, and Department of Justice inquiries/investigations have begun.

R. Micky Dow has been held in confinement, denied telephone access or any other manner of communication with anyone for a period in excess of 30 days; as well as being denied access to a law library, preparation materials, and/or the United States mail in order to contact and/or file some manner of request of extension prior to this date.

All of the materials in Mr. Dow's vehicle, hereinabove described as his computer, printer, case notes, and rough draft of the pleadings required for filing, were seized, illegally, by party or parties hereinabove identified and removed to the State of Kansas WITHIN THE BOUNDARIES OF REGION IV NUCLEAR REGULATORY COMMISSION and secreted there, completely precluding R. Micky Dow from finishing and filing his documents in a timely fashion.

Consequently, R. Micky Dow was, in some manner precluded from timely filing through circumstances of which he had no control. Although it is apparent that the above and foregoing was designed in some manner to prevent him from making a timely filing, this cannot be shown with complete corroboration until such time as active and ongoing investigations can be completed

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and charges filed. However, the public record and court transcripts in existence now will completely substantiate all of the above and foregoing. Because communication was precluded, the parties could not confer with each other regarding the specific pleading and because all other materials were with R. Micky Dow, nothing could be prepared or filed prior to this date.

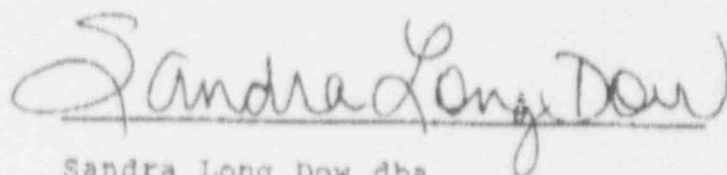
R. Micky Dow secured his release on or about October 3, 1992, and immediately made contact with his home base. These pleadings by and through telephone conference and telephone facsimile are now being prepared and filed in as timely a fashion as possible.

Conclusions

These parties would aver that they have the most on point direct, and conclusive evidence whereby this entire action can and will be supported. They do most certainly believe they will prevail and certainly intend to participate to the fullest allowable possibilities. They have been precluded by circumstances not in their control, and because of yet further possible due process concerns, an equitable extension of time must and should be granted. The pleadings were in their rough draft form and were in the process of being prepared for filing upon conclusion of this final investigative trip to Colorado. These pleadings were taken without the knowledge and consent of the Petitioners as has been established through circumstances beyond their control. Therefore, these Petitioners cannot be penalized for that which they had no control and particularly in view of this request for extension.

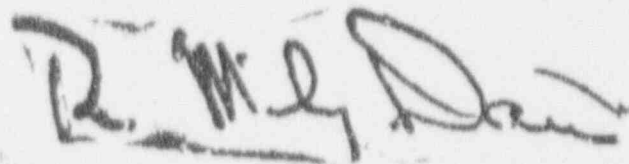
THEREFORE, premises considered, the Petitioners do hereby request a 30 day extension wherein to recreate, prepare and file their pleadings, and, upon request of the ASLB will certainly make available any supportive materials regarding the circumstances hereinabove described and will continue to supplement as required.

Respectfully submitted,



Sandra Long Dow dba

Disposable Workers of Comanche
Peak Steam Electric Station



R. Micky Dow

Petitioners

CERTIFICATE OF SERVICE

I hereby certify that copies of the the foregoing have been served upon the following persons by US Mail and facsimile this the 5th day of October, 1992.

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Washington, D.C. 20555

Administrative Judge

Morton B. Margulies, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Administrative Judge
James H. Carpenter
Atomic Safety & Licensing Board
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