

961
May 9, 1985

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

'85 MAY 10 P12:35

In the Matter of)

CAROLINA POWER AND LIGHT COMPANY AND)
NORTH CAROLINA EASTERN MUNICIPAL)
POWER AGENCY)

(Shearon Harris Nuclear Power Plant,)
Units 1 and 2))

Docket Nos.

OFFICE OF SECRETARY
DOCKETING & SERVICE
50-400301
50-401 0L

NRC STAFF'S MOTION FOR EXTENSION OF TIME

I. INTRODUCTION

Pursuant to 10 C.F.R. § 2.711 of the Commission's regulations, the Staff of the Nuclear Regulatory Commission (Staff) moves the Atomic Safety and Licensing Appeal Board (Appeal Board) for an order extending the time for the Staff to file its reply to Intervenor's appeal of the Partial Initial Decision in the above-captioned proceeding until May 24, 1985.

II. DISCUSSION

On April 9, 1985, Joint Intervenor and Wells Eddleman filed their brief appealing the Licensing Board's Partial Initial Decision in this operating license proceeding. The Staff's reply to this appeal is to be filed by May 20, 1985. The absence of Staff counsel from the office during the week immediately preceding the filing on agency business, makes it difficult for the Staff to complete its reply brief by the required date. Therefore, the Staff requests an extension of the filing date for its reply

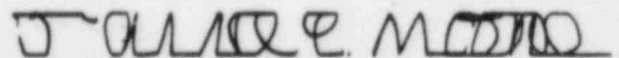
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until May 24, 1985. The Staff will make every attempt to file its reply before that date. Counsel for Applicants, Counsel for CCNC who filed the Appeal on behalf of Joint Intervenors, and Mr. Eddleman have been contacted. They do not have any objection to the Staff's motion.

III. CONCLUSION

For good cause shown, the Staff moves the Appeal Board for an order extending the time for the Staff to file its reply brief in this matter until no later than May 24, 1985.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "JANICE E. MOORE". The signature is stylized with a large initial "J" and a long horizontal stroke at the end.

Janice E. Moore
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 9th day of May, 1985

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of

CAROLINA POWER AND LIGHT COMPANY AND
NORTH CAROLINA EASTERN MUNICIPAL
POWER AGENCY

(Shearon Harris Nuclear Power Plant,
Units 1 and 2)

Docket Nos. 50-400 OL
50-401 OL

OFFICE OF SECRETARY
DOCKETING & SERVICE
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I hereby certify that copies of "NRC STAFF'S MOTION FOR EXTENSION OF TIME"
in the above-captioned proceeding have been served on the following by
deposit in the United States mail, first class, or deposit in the Nuclear
Regulatory Commission's internal mail system (*), this 9th day of May, 1985:

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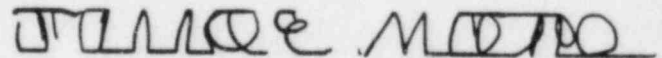
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