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USNRCJanuary 15, 1999
99 JAN 15 P3:23UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSIONOFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATIONS STAFFBEFORE THE PRESIDING OFFICER

In the Matter of)

MICHEL A. PHILIPPON)

Docket No. 55-32443-SP

(Denial of Senior Reactor Operator
License Application))
)
)NRC STAFF'S MOTION FOR EXTENSION OF TIME

By Order dated January 7, 1999, the Presiding Officer established January 29, 1999 as the date the NRC Staff's response to Mr. Philippon's written presentation is due. For the reasons discussed below, the Staff hereby moves for a two week extension to February 12, 1999, by which it must submit its response.

DISCUSSION

Staff personnel who are responsible for the preparation of the Staff's response to Mr. Philippon's written presentation are, by coincidence, also responsible for the drafting of a response to another written presentation that has been filed in an ongoing unrelated reactor operator licensing case. The original schedule for that case was such that the Staff's response would have been filed there before Mr. Philippon's written presentation was to be filed in this matter, thus allowing the Staff to devote undivided attention to each case. However, due to the intervening holidays and the unavailability of certain members of the Staff, the original schedule for the first case was changed such that the Staff's response in that case is due today. Because

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of its complexity, that response has consumed virtually all of the Staff's time up to this point. Thus, although the Staff actually received Mr. Philippon's written presentation in hand on January 11, 1999,¹ the Staff has been unable to devote any significant amount of time to it for the past week. In addition, the senior Staff official in Region III responsible for management review of Mr. Philippon's case will be out of the office on official business for the next two weeks. Finally, the Staff has determined from a preliminary analysis of Mr. Philippon's written presentation that the Staff's response will require a very substantial amount of preparation time.

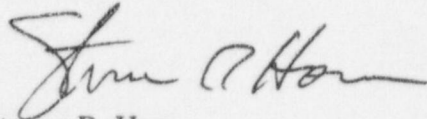
The undersigned counsel for the Staff attempted to contact Mr. Philippon by telephone this date at the number (313-587-3037) listed on his November 23, 1998 filing that provided his estimate of how long he would need to file a written presentation, but counsel received an "invalid number" message. Counsel then attempted to obtain a number from directory assistance, but was informed by the operator that no number was listed for Mr. Philippon in Carleton, Michigan, and that the number above was, in fact, invalid. Therefore, the Staff is unable to inform the Presiding Officer as to whether Mr. Philippon would object to the requested two week extension.

¹Counsel for the Staff received Mr. Philippon's written presentation, postmarked January 4, 1999, on January 8, 1999, and forwarded it by express mail to the Staff in Region III for delivery the following Monday.

CONCLUSION

In consideration of the foregoing, the Staff requests that the Presiding Officer issue an order granting this Motion, thereby establishing February 12, 1999, as the date by which the Staff's response to Mr. Philippon's written presentation must be filed.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Steven R. Hom", written in a cursive style.

Steven R. Hom
Counsel for NRC Staff

Dated at Rockville, Maryland
this 15th day of January 1999

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

'99 JAN 15 P3:23

CERTIFICATE OF SERVICE

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 U.S. Mail, first class, or, as indicated by a single asterisk through deposit in the Nuclear Regulatory Commission's internal mail system, this 15th day of January, 1999:

Administrative Judge
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Presiding Officer
Atomic Safety and Licensing Board
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555
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Administrative Judge
Dr. Charles N. Kelber*
Special Assistant
Atomic Safety and Licensing Board
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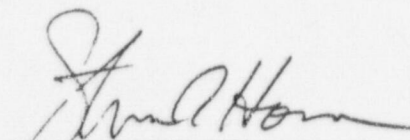
Michel A. Philippon
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Office of Commission Appellate
Adjudication*
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U.S. Nuclear Regulatory Commission
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Adjudicatory File* (2)
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Secretary* (2)
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Steven R. Hom
Counsel for NRC Staff