

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

OHNGO GAUDADEH DEVIA, and the	)	
STATE OF UTAH,	)	
Petitioners,	)	
	)	
v.	)	No. 05-1419, consolidated with
	)	Nos. 05-1420, 06-1087
UNITED STATES NUCLEAR	)	
REGULATORY COMMISSION and	)	
the UNITED STATES OF AMERICA,	)	
Respondents.	)	
	)	
PRIVATE FUEL STORAGE, L.L.C. and	)	
SKULL VALLEY BAND OF	)	
GOSHUTE INDIANS,	)	
Intervenors.	)	

**MOTION FOR EXTENSION OF TIME  
TO RESPOND TO UTAH’S MOTION TO VACATE**

The United States Nuclear Regulatory Commission and the United States (collectively “Federal Respondents”) request an additional thirty days (i.e., until May 9, 2022), for all parties to respond to the State of Utah’s motion to vacate the NRC orders that are the subject of these Petitions for Review.

This case had been held in abeyance, and had been administratively closed, until March 29, 2022, when the State of Utah filed its motion (without having previously contacted any of the parties to the case). A response is currently due on April 8, 2022. The motion raises factual and legal questions that require research, consultation with the parties’ clients, as well a determination of whether to consent

to the motion. The parties also intend to consider whether the relief requested is more properly brought before the agency in the first instance. An extension of time of 30 days for all parties to respond to the motion is therefore warranted.

Counsel for Federal Respondents have obtained the consent of counsel for Ohngo Gaudedeh Devia, counsel for the State of Utah, and counsel for Intervenor Private Fuel Storage, L.L.C., to this request. However, counsel for Intervenor Skull Valley Band of Goshute Indians no longer represents the Band (as he now serves as a judge), and counsel for Federal Respondents has not yet received a response to its request for an extension from the Chairwoman of the Band or the Band's authorized legal representative.

Accordingly, Federal Respondents request that the Court extend by 30 days (i.e., until May 9, 2022) the time for all parties to respond to Utah's motion to vacate.

Respectfully submitted,

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March 30, 2022

**CERTIFICATE OF COMPLIANCE WITH  
FEDERAL RULE OF APPELLATE PROCEDURE 27(D)**

I certify that this filing complies with the requirements of Fed. R. App. P. 27(d)(1)(E) because it has been prepared in 14-point Times New Roman, a proportionally spaced font.

I further certify that this filing complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 267 words, excluding the parts of the of the filing exempted under Fed. R. App. P. 32(f), according to the count of Microsoft Word.

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