

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

SAN LUIS OBISPO MOTHERS)	
FOR PEACE, FRIENDS OF THE)	
EARTH, and ENVIRONMENTAL)	
WORKING GROUP)	
Petitioners,)	
v.)	No. 23-852
)	
UNITED STATES NUCLEAR)	
REGULATORY COMMISSION and the)	
UNITED STATES OF AMERICA)	
Respondents, and)	
)	
PACIFIC GAS & ELECTRIC COMPANY)	
Intervenor)	

**FEDERAL RESPONDENTS' UNOPPOSED MOTION TO EXTEND THE
TIME TO FILE THE CERTIFIED INDEX TO THE RECORD**

In accordance with Federal Rule of Appellate Procedure (FRAP) 17 and FRAP 27, Federal Respondents Nuclear Regulatory Commission (NRC) and the United States hereby file this Unopposed Motion to extend the time for the agency to file its certified list describing all material constituting the record in this proceeding. FRAP 17(a) provides that the agency must file the record with the circuit clerk within 40 days after being served with a petition for review, and that the Court may extend the time to file the record. The petition for review in this case was docketed on April 28, 2023, and thus the applicable deadline for the agency to file its certified index is June 7, 2023.

Respondents move the Court to extend this deadline an additional 9 days and provide that the NRC may file its certified index to the record no later than Friday, June 16, 2023. Respondents seek this extension because the NRC is still in the process of evaluating a request to add certain documents to the agency's record of decision to be filed with the court. A brief extension affording additional time to initially file the certified index may obviate the need for supplementation at a later date. This extension request is unopposed by all parties.

For these reasons, the Respondents respectfully request that the Motion be granted and Respondent NRC be permitted to file the certified index to the record no later than June 16, 2023.

Respectfully submitted,

/s/ Eric V. Michel
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June 6, 2023

CERTIFICATE OF COMPLIANCE

1. This document complies with the type-volume limit of Federal Rule of Appellate procedure 27(d)(2)(A) and Circuit Rule 27-1 because it contains 257 words.

2. This document complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman font.

Dated: June 6, 2023

/s/ Eric V. Michel
ERIC V. MICHEL
Counsel for Respondent NRC