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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'00 JAN 27 P3:56

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of:	)	
	)	Docket No. 72-22-ISFSI
	)	
PRIVATE FUEL STORAGE, LLC	)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel	)	
Storage Installation)	)	January 20, 2000

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**STATE OF UTAH'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO  
RESPOND TO NRC STAFF'S MOTION TO STRIKE PORTIONS OF "STATE'S  
REPLY TO THE NRC STAFF'S RESPONSE TO THE APPLICANT'S MOTION  
FOR PARTIAL SUMMARY DISPOSITION OF UTAH CONTENTION  
E/CONFEDERATED TRIBES F"**

The State hereby requests a two day extension of time to respond to the NRC Staff's January 19, 2000 Motion to Strike Portions of "State's Reply to the NRC Staff's Response to the Applicant's Motion for Partial Summary Disposition of Utah Contention E/Confederated Tribes F."

On January 10, 2000 the State filed its Reply to the NRC Staff's December 22, 1999 Response to the Applicant's December 3, 1999 Motion for Partial Summary Disposition of Utah Contention E/Confederated Tribes F ("State's Reply"). The State in its Reply also requested that the Board release for public review and scrutiny all claimed proprietary information relating to the PFS summary disposition motion on Contention E, which relates to financial assurance. State's Reply at 20. On January 19, 2000 the Staff filed its Motion to Strike State's Reply.

On January 20, 2000, the Board ordered that responses to Staff's Motion to Strike

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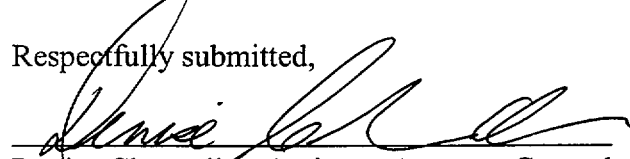
as well as responses to the State's request that the Board release all claimed proprietary information relating to the PFS summary disposition motion shall be filed by January 26, 2000.

The State is requesting an extension of time to file its response from January 26 until January 28, 2000. The State has good cause for requesting the extension. First, Exhibit 4 to the Staff's Motion consists of the State's Reply with numerous statements struck out by the Staff, and is the crux of the Staff's Motion to which the State must respond. While the Staff filed its Motion and Exhibits 1 through 3 electronically, it did not file Exhibit 4 electronically because it considered Exhibit 4 to be proprietary. The Staff served Exhibit 4 with the entire Motion by express mail such that the State received it on January 20. Consequently, the State has only four working days to respond to the Motion. Second, the State must file any changes to its contentions or new contentions based on the Staff's Safety Evaluation Report, received by the State December 27, 1999, by January 26, 2000. Third, as the State is only asking for a two-day extension, it will not delay the proceeding.

The State has contacted counsel for the Applicant and the NRC Staff. Counsel for the Staff does not oppose this extension of time. Counsel for the Applicant does not oppose this extension of time provided PFS will have the same extension of time to respond to the Motion to Strike and to the State's request that the Board release all claimed proprietary information relating to the PFS summary disposition motion.

DATED this 20<sup>th</sup> day of January, 2000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Denise Chancellor", is written over a horizontal line.

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USNRC

CERTIFICATE OF SERVICE

'00 JAN 27 P3:56

I hereby certify that a copy of STATE OF UTAH'S UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO RESPOND TO NRC STAFF'S MOTION TO STRIKE  
PORTIONS OF "STATE'S REPLY TO THE NRC STAFF'S RESPONSE TO THE  
APPLICANT'S MOTION FOR PARTIAL SUMMARY DISPOSITION OF UTAH  
CONTENTION E/CONFEDERATED TRIBES F" was served on the persons listed  
below by electronic mail (unless otherwise noted) with conforming copies by United  
States mail first class, this 20<sup>th</sup> day of January, 2000:

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