

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSIONBEFORE THE COMMISSION

In the Matter of)	
)	
PRIVATE FUEL STORAGE, L.L.C.)	Docket No. 72-22-ISFSI
)	
(Independent Spent Fuel)	
Storage Installation))	

NRC STAFF'S UNOPPOSED MOTION FOR AN EXTENSION
OF TIME TO REPLY TO THE APPLICANT'S AND STATE'S
JANUARY 15, 2004 PETITIONS FOR REVIEW OF LICENSING BOARD DECISIONS

Pursuant to 10 C.F.R. § 2.730, the NRC Staff ("Staff") hereby requests that the Commission grant the Staff an extension of time of five business days, until February 2, 2004, in which to reply to: 1) "Applicant's Petition for Review of Memorandum and Order Granting and Denying in Part Motion For Reconsideration and/or Clarification of Financial Qualifications Decisions," filed by Private Fuel Storage, L.L.C. ("PFS" or "Applicant"); and 2) "State of Utah's Petition for Review of Contentions Utah E/Confederated Tribes F (Financial Assurance) & Utah S (Decommissioning)," filed by the State of Utah. In support of this request, the Staff states as follows:

1. On January 15, 2004, the Applicant and State of Utah filed petitions for review of Licensing Board decisions concerning Contentions Utah E/Confederated Tribes F and Contention Utah S. These included a 25-page filing by the State and a 10-page filing by the Applicant. In accordance with the Commission's establishment of a 10-day response time as specified in 10 C.F.R. § 2.786(b)(3) and its Order of June 16, 2003, the Staff is scheduled to file its responses to these filings on January 26, 2004.

2. The Staff has found it necessary to request a brief extension of time for filing its responses due to the length of the parties' filings and the multiplicity of the issues raised in these petitions. In addition, during the time that the Staff is preparing its responses to the petitions, the

Staff is engaged in preparing a response to the State's new Contention, Utah TT (HI-STORM 100 Steel Shims -- Feasibility and Safety). Further, in accordance with the Licensing Board's "Memorandum and Order (Granting in Part and Denying in Part Motion for Reconsideration and/or Clarification of Financial Qualifications Decisions)," dated January 5, 2004, slip op. at 20, the Staff is preparing to file certain objections to the Applicant's proposed redactions of that decision. These factors have contributed to the Staff's need for a brief extension of time in which to file its responses to the Applicant's and the State's petitions for review.

3. Counsel for the Staff has contacted Counsel for the State and Counsel for the Applicant, who have stated that they do not oppose the Staff's request. Further, Counsel for the Applicant and the State request that if the Staff's motion is granted, they be provided the same extension of time in which to file their responses to each others' Petitions. The Staff does not oppose that request.

WHEREFORE, the Staff requests an extension of time of five business days, until February 2, 2004, in which to file its responses to the Applicant's and the State's petitions for review.

Respectfully submitted,

/RA/

Catherine L. Marco
Counsel for NRC Staff

Dated at Rockville, Maryland
this 20th day of January, 2004

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO REPLY TO THE APPLICANT'S AND STATE'S JANUARY 15, 2004 PETITIONS FOR REVIEW OF LICENSING BOARD DECISIONS" in the above captioned proceeding have been served on the following through deposit in the NRC's internal mail system, with copies by electronic mail, as indicated by an asterisk, or by deposit in the U.S. Postal Service, as indicated by double asterisk, with copies by electronic mail this 20th day of January, 2004:

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