

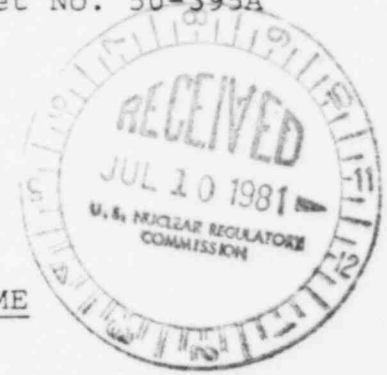
7/9/81

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

SOUTH CAROLINA ELECTRIC AND)
GAS COMPANY and)
SOUTH CAROLINA PUBLIC SERVICE)
AUTHORITY)
(Virgil C. Summer Nuclear Station,)
Unit 1))

Docket No. 50-395A



SCE&G'S REQUEST FOR EXTENSION OF TIME

By "... Petition for Rehearing" served by mail on July 6, 1981, Central Electric Power Cooperative seeks reconsideration of the Commission's order issued June 26, 1981 and served June 29, 1981. The thrust of that order was to deny Central Electric Power Cooperative's petition for a finding of significant changes, in accordance with subsection 105c.2 of the Atomic Energy Act, and for initiation of operating license antitrust review in the captioned matter.

On July 8, 1981 we received the Commission's issuance entitled "Schedule for Response to Central Electric Power Cooperative's Petition for Reconsideration" which apparently was served by mail on July 7, 1981. The thrust of the July 7th Commission issuance is apparently to reduce the time SCE&G would

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normally have for reply pursuant to 10 C.F.R. §§2.771 and 2.710 from July 21, 1981 to July 17, 1981 and to extend the time for response for the NRC Staff from July 20, 1981 to July 31, 1981, while providing the opportunity to the Department of Justice to respond by July 24, 1981.

The undersigned, who is the principal counsel for SCE&G in the captioned matter, is and will be engaged as the principal attorney in trial of the operating license health and safety proceeding involving the same application before an Atomic Safety and Licensing Board in Columbia, South Carolina. Two sessions of hearings in that proceeding have already been held June 22 - June 27 and June 30 - July 2, and hearings are scheduled to resume on Monday, July 13th and to continue for at least one week or until July 24th, or later, as ordered by the Licensing Board. There is presently no other outside attorney familiar with the anti-trust matter. The only Company attorney familiar with the antitrust matter is SCE&G's General Counsel whose other duties and commitments do not permit devotion of the time necessary to preparing a response herein by July 17th.

In the circumstances, SCE&G respectfully requests that the time for SCE&G's response be extended to at least July 31, 1981^{1/} and

^{1/} Scheduling information provided by the Licensing Board in the health and safety proceeding in a conference call some time ago indicates that no hearing can be held in the operating license matter (assuming there is some need not now foreseen to continue that proceeding after July 24) during the week of July 27, 1981. Assuming the continued correctness of the premise that no hearing will be scheduled for the week of July 27, a July 31, 1981 response date will afford five working days for the preparation (continued on page 3)

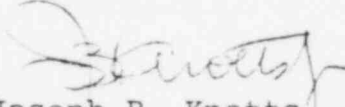
and that the response dates for the Department of Justice and the NRC Staff be adjusted correspondingly at the intervals provided by the Commission's July 7, 1981 schedule. Counsel for the NRC Staff, for the Department of Justice and for the Authority have authorized us to state that they have no objection to the requested schedule set forth below. (We would have no objection to an order which set the same response date for the Public Service Authority as for SCE&G.) Counsel for Central indicates that, under his reading (with which we differ) of the NRC Rules of Practice as to the time available for filing his petition, he had only two working days in which to file and will not consent to the requested extension. However, he requested that we report that he would not object to a substantial extension of our reply schedule if Central were permitted several weeks to perfect and refile its petition for reconsideration, the other parties being afforded corresponding reply time. Since we would have read 10 C.F.R. §§2.771 and 2.710 as affording Central a total of fifteen days from June 29, 1981 to file, and would not have objected to a reasonable extension of

1/ (Continued from page 2)

of a response -- more if the hearings are concluded earlier, as SCE&G will urge. The undersigned believes that five days is the absolute minimum period required by considerations of professional obligations. No other party is aggrieved by the extension of time sought herein.

time beyond that for filing a petition for reconsideration in the first instance, and since we cannot reply on the schedule set, we interpose no objection to the rather unusual procedure of "starting over" on the reconsideration matter.

Respectfully submitted,



Joseph B. Knotts, Jr.
Counsel for South Carolina
Electric & Gas Company

Date: July 9, 1981

JBK/pv

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NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of:

SOUTH CAROLINA ELECTRIC & GAS)	
COMPANY and)	
)	
SOUTH CAROLINA PUBLIC SERVICE)	Docket No. 50-395A
AUTHORITY)	
)	
(Virgil C. Summer Nuclear Station,)	
Unit 1))	

CERTIFICATE OF SERVICE

I hereby certify that copies of "SCE&G's Request for Extension of Time" in the above captioned matter, were served upon the following persons by deposit in the United States mail, first class postage prepaid this 9th day of July, 1981.

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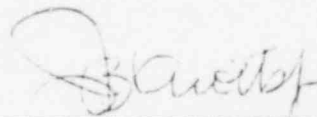
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