

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

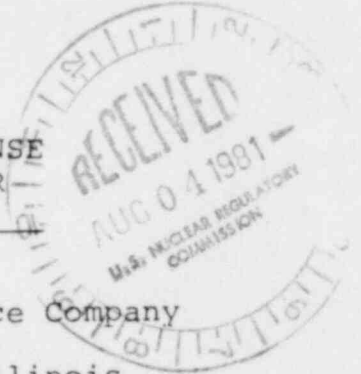
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	Docket No. 50-367
	)	
NORTHERN INDIANA PUBLIC	)	(Construction Permit
SERVICE COMPANY	)	Extension)
	)	
(Bailly Generating Station,	)	July 30, 1981
Nuclear-1)	)	

NORTHERN INDIANA PUBLIC SERVICE COMPANY'S RESPONSE  
IN OPPOSITION TO ILLINOIS' SECOND "MOTION FOR  
EXTENSION OF TIME"

On June 22, 1981, Northern Indiana Public Service Company (NIPSCO) filed its Third Set of Interrogatories to Illinois. Responses were due July 13, 1981. On that date, Illinois mailed a "Motion for Extension of Time" to the Board and parties. The Motion requests an extension to July 27, 1981, of the time for responding to the interrogatories. On that date, Illinois mailed its second "Motion for Extension of Time" to the Board and parties. In support of its second Motion for Extension of Time Illinois reiterates the same excuse for its failure to file timely answers to interrogatories which it advanced in support of its first Motion, i.e., "the time necessary to respond . . . has been very limited, and the interrogatories are of a technical nature, requiring consultation with others . . . ." This excuse was also offered by Illinois in its July 7, 1981 Motion for Extension of Time to answer NIPSCO's Second Set of Interrogatories.\* /

\* / In this regard it should be noted that Illinois has yet to comply with a discovery request within the time provided by Commission regulations.



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As we have previously stated, these excuses are insufficient. Illinois should not be permitted to dictate the pace of this proceeding by simply stating it does not have sufficient time to respond to discovery requests. We urge the Board to deny Illinois' Motion for yet another extension of time and to remind Illinois of its obligations as a party to this proceeding.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the following documents:

Northern Indiana Public Service Company's Response  
in Opposition to Illinois' Second "Motion for Extension  
of Time"

Northern Indiana Public Service Company's Notice  
of Deposition of Edward W. Osann, Jr.

Northern Indiana Public Service Company's Notice  
of Deposition of Agent(s) or Representative(s) of  
State of Illinois

Northern Indiana Public Service Company's First Request  
to Porter County Chapter of the Izaak Walton League  
of America, Inc. for Production of Documents

Northern Indiana Public Service Company's First Request  
to Concerned Citizens Against Bailly Nuclear Site  
for Production of Documents

Northern Indiana Public Service Company's First Request  
to Businessmen for the Public Interest, Inc. for  
Production of Documents

Northern Indiana Public Service Company's First Request  
to James E. Newman for Production of Documents

Northern Indiana Public Service Company's First Request  
to Mildred Warner for Production of Documents

Northern Indiana Public Service Company's First Request  
to The State of Illinois for Production of Documents

Northern Indiana Public Service Company's Fourth  
Set of Interrogatories to Porter County Chapter of the  
Izaak Walton League of America, Inc.

Northern Indiana Public Service Company's Fourth  
Set of Interrogatories to Concerned Citizens Against  
Bailly Nuclear Site

Northern Indiana Public Service Company's Fourth  
Set of Interrogatories to Businessmen for the Public  
Interest, Inc.

Northern Indiana Public Service Company's Fourth  
Set of Interrogatories to James E. Newman

Northern Indiana Public Service Company's Fourth  
Set of Interrogatories to Mildred Warner

Northern Indiana Public Service Company's Fourth  
Set of Interrogatories to The State of Illinois

were served on the following by deposit in the United States  
mail, postage prepaid, on this 30th day of July, 1981:

Herbert Grossman, Esquire, Chairman  
Administrative Judge  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Robert L. Holton  
Administrative Judge  
School of Oceanography  
Oregon State University  
Corvallis, Oregon 97331

Dr. J. Venn Leeds  
Administrative Judge  
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Houston, Texas 77096

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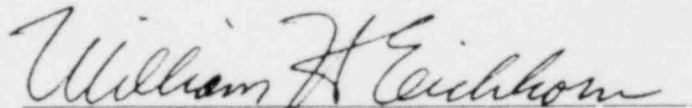
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