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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

COMMISSIONERS:

Ivan Selin, Chairman  
Kenneth C. Rogers  
James R. Curtiss  
Forrest J. Remick  
E. Gail de Planque

'93 MAR 26 AB:25

In the Matter of:  
TEXAS UTILITIES ELECTRIC  
COMPANY, et al.

(Comanche Peak Steam  
Electric Station, Unit 2)

Docket Nos. 50-446, 50-446-CPA

MOTION FOR LEAVE TO FILE OUT-OF-TIME  
BY PETITIONER R. MICKY DOW

Comes now, R. Micky Dow, petitioner and movant, as well as representative for Ron Jones, Yvonne Wilkinson, and others, hereinafter movant, and files this, his Motion For Leave To File Out-Of-Time, and for cause would show that:

I.

Your movant was aware of Petitioners' Motion To Stay Issuance of License, but felt that responsive pleadings already on file would be sufficient with regard to a showing of support for any manner of stay was concerned.

Movant, however, received, by regular U.S. Mail, a pleading entitled Case's Motion For Leave To File Response And Case's Response to Portions of Petitioners' Motion To Stay Issuance of Full Power License, and, as the pleading was produced March 22, 1993, it was, quite naturally, received out-of-time. Because, however, a great deal of time and space was spent on this movant

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and the organization he is an officer of, and, therefore, movant feels there, now, exists a need, and certainly a right, for a response, to this pleading.

## II.

Instead of quoting Twain, CASE would be better to become more mindful of Shakespeare, who, in Julius Ceaser, stated "Methinks thou doth protest too much!", a more fitting and apropos statment.

This movant could care less how much money, the method, the means, the direction, or the result, that CASE might or might not have received from the applicant, that is "kicking a dead horse" and totally immaterial for the puposes of what is present before the Commission at this time.

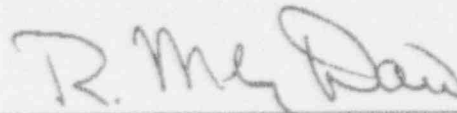
What IS present before the Commission are multiple motions for leave to intervene, and, in some manner prevent the extension of the construction permit on Unit 2, and now that the Commission has usurped Constitutional guarantees and granted the extension anyway, there are pleadings in place to stay the granting of a full-power license. The reason for all that litigation is that there still are allegations and contentions with regard to the construction and safety violations on the Unit 1 portion, which the RECORD WILL SHOW were withdrawn, and the list of current allegations and contentions will support the fact that Unit 2 is also unsafe, and substandard in its construction.

10 1/2 Million Dollars won't fix that, or change that; neither will "does it exist, or who got it, or where is it"; but,  
MOTION FOR LEAVE TO FILE OUT-OF-TIME BY R. MICKY DOW -2-

WHAT WILL WORK, WHAT SHOULD HAPPEN, is Due Process, the filing of allegations, the investigation into those contentions, the hearings process in order to corroborate those contentions, and, then, adjudication on the merits. It is imperative for all parties to remember and understand that while this utility is laughing at this ludicrous showing of bickering over a SECRET SETTLEMENT AGREEMENT, they are, ever so slowly easing through the system with a catastrophe both in its tragic ultimate result, but, also, in the 20 Billion + cost over-run, and the usurious rate increases that these characterless, and incompetent applicants intend on sticking the public at large with, while they glean nothing save profit, and some bad press, both being nothing but wrinkled paper.

WHEREFORE, PREMISES CONSIDERED, and, in view of the fact that the pleading, the subject of this motion, was not received by movant until after time had expired, and that, as much of it concerns this movant, he be allowed to file his response out-of-time, in the interest of justice.

Respectfully submitted,

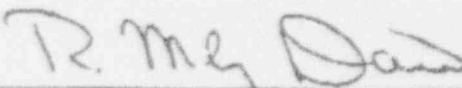


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R. MICKY DOW, pro se  
506 Mountain View Estates  
Granbury, Texas 76048  
(817) 573-0923  
Movant

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was, this 25th day of March, 1993, telefaxed to the Office of the General Counsel for the NRC, and, to the offices of George L. Edgar, attorney for applicant, with a true and correct copy being mailed, by regular First Class mail, to the parties listed below.

  
R. MICKY DOW, Affiant

Emile Julian  
Docketing Section  
U.S. Nuclear Regulatory Comm.  
11555 Rock Pike  
Rockville, Maryland 20852

Charles A. Mullins, Esquire  
Office of the General Counsel  
U.S. Nuclear Regulatory Comm.  
11555 Rock Pike  
Rockville, Maryland 20852

George L. Edgar  
Newman & Holtzinger  
1615 L. Street, N.W.  
Washington, D.C. 20036

Mike Kohn  
Kohn, Kohn & Calapinto  
617 Florida, N.W.  
Washington, D.C. 20001

Juanita Ellis  
Citizens Association for  
Sound Energy  
1426 S. Polk  
Dallas, Texas 75224

Robert A. Wooldridge  
Worsham, Forsythe, Sampels  
& Wooldridge  
2001 Bryan Tower, Suite 3200  
Dallas, Texas 75201