

13822

DOCKET NUMBER
PROD. & UTIL. FAC. 50-446-CPA

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 31 P1:49

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

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

(Comanche Peak Steam
Electric Station, Unit 2)

MOTION FOR LEAVE
TO FILE OUT-OF-TIME

Comes now, R. Micky Dow, and files this, his Motion For
Leave to File Out-of-Time, and for cause would show,

I.

On March 26, 1993 the Commission issued an order, directed
to the license holder, requiring a response by c.o.b. Tuesday,
March 30, 1993, and additionally requiring all interested parties
to respond within the same time frame.

II.

Received, Friday, March 26, and Monday, March 29, 1993, were
two extremely lengthy pleadings, by telefax, from the utility,
requiring a substantial financial outlay by this party in order
to obtain them, as he has no telefax equipment, and must use a
commerical outlet.

This individual has requested, and even complained about the
undo financial stress this system places on him, due to his lack

MOTION FOR LEAVE TO FILE OUT-OF-TIME -1-

finances, and that, most times, it meant he was not able to pick up his facsimiles until too late to timely respond. The Commission immediately agreed to find an alternative method, the utility, however, has not.

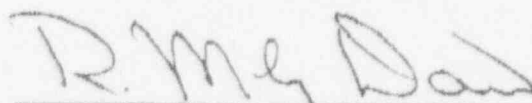
III.

On Tuesday, March 30, 1993, this party called Charles Mullins with the Office of the General Counsel, and informed him that he did not have the financial capability to telefax his response to the Commission by end of business that day, and that his only immediate alternative was to mail it First Class. There were no other options. Mr. Mullins stated he would note the call for the record.

However, in view of the announcement of the vote on full-power licensing scheduled for Tuesday, April 6, 1993, this party was able to borrow the money to telefax his response this date and is so doing so with this motion.

WHEREFORE, PREMISES CONSIDERED, and in view that circumstances were beyond the reasonable control of the responding party, and that he has made every reasonable effort to comply, this party requests his Response To Commission Order of March 26, 1993, be accepted and filed one day out-of-time.

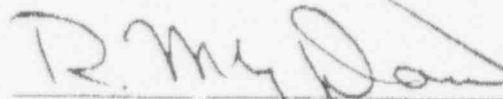
Respectfully submitted,



R. MICKY DOW, pro se
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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the⁵⁰ 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

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