

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of
METROPOLITAN EDISON COMPANY
(Three Mile Island Nuclear
Station, Unit No. 1)

Docket No. 50-289
(Restart)

LICENSEE'S MOTION FOR
ENLARGEMENT OF PAGE LIMITATION



Pursuant to the Appeal Board's Order of March 24, 1982, Licensee's single, consolidated responsive brief to the exceptions in this proceeding of the Union of Concerned Scientists, the Commonwealth of Pennsylvania, and the Aamodts on plant design and emergency planning issues, is due no later than May 10, 1982. The responsive brief is to be no longer than 140 pages, exclusive of pages containing the Table of Contents and Authorities and any addenda limited to statutes, rules or regulations.

Licensee hereby moves that the page limitation for its responsive brief be extended by 25 pages, to a total of 165 pages. Licensee is responding here to appellants' briefs which total in excess of 150 pages in length. While Licensee has made a concerted effort to be concise in its arguments, the evidentiary record involved with these appeals is massive, and we feel that a complete discussion of the record will be greatly beneficial to the Appeal Board's difficult task of reviewing the Licensing Board's decision.

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In the case of the UCS brief in particular, Licensee did not anticipate the extent to which the appellant would rely upon proposed findings of fact filed with the Licensing Board (instead of citations to the evidentiary record) and the absence of an organizational format (i.e., with a statement of the case, questions presented, and argument) which would enable the appellee to respond efficiently to the matters raised upon appeal. Consequently, it has required a greater effort on our part, and a longer reply brief, in order to present the Appeal Board with a well reasoned and comprehensive reply to the UCS exceptions.

While 10 C.F.R. § 2.762(e) provides that a request for enlargement of the page limitation shall be made by motion submitted at least seven days before the date upon which the brief is due for filing, Licensee was unable to anticipate earlier that an enlargement would be required. Because of the diversity of issues which must be addressed in this consolidated responsive brief, several attorneys and various elements of our client's organization have been involved in contributing to the preparation of Licensee's reply. It was only upon consolidating those contributions today that the need for an enlargement became apparent. Licensee can foresee, however, no prejudice to other parties either from

the lateness of this motion or the relief requested.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Motion for Enlargement of Page Limitation" were served this 7th day of May, 1982, by hand delivery upon the parties identified by an asterisk and by deposit in the U.S. mail, first class, postage prepaid, to the other parties on the attached Service List.

Thomas A. Baxter
Thomas A. Baxter, P.C.

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