

NRC  
Dockets 50-400 + 401012  
WETH

Wells Eddleman  
718-A Iredell  
Durham NC 27705  
5-24-82  
ph 919-286-3076  
919-383-6602  
919-688-0347

To the Atomic Safety +  
Licensing Board

Response to Applicants' 5-18-82  
Motion for Extension of Time

Although Applicants have as yet made no  
informal or other contact with me re  
discussion of contentions (as their  
O'Neill suggested to me 4/7/82 at Apex NC),  
I believe the Board should take note of these  
facts with reference to the above Motion.

(1) petitioners, e.g. Dr Wilson +  
myself, who requested extensions of  
time due to facts beyond our control,  
e.g. the closing of the Wake Co. CPDR  
May 3-9, 1982, inclusive; the missing  
documents + incomplete accession  
lists therein; etc, have received  
NO reply whatever, as yet. 0503  
5-17-82

(2) having timely filed 5-14-82 at least  
one admissible contention, I have met  
the requirements to be a party in this  
proceeding.

(3) Applicants have known since  
early March 1982 that there were 9  
intervenor petitioning in this case.  
They have known since the Board's  
4-2-82 order was served on them that  
responses would be due on 5-28-82  
from them. Such responses are NOT required

82060107

Applicants' DC Lawyers, SPP+T, have over 25 years' experience in Nuclear regulatory law + surely should know it is not unheard of for intervenors to file numerous contentions

(4) I prepared my contentions without the staff, technical resources, typists etc that Applicants have, using my own funds; Applicants can charge any costs in this case to ratepayers - thus their financial resources are nearly unlimited. On information + belief, no intervenor in this case can ~~match~~ <sup>command</sup> the dozens of attorneys, dozens of technical personnel, + dozens of support personnel (e.g. typists, messengers, computer operators, go-fers, legal aides, etc) Applicants have available.

Yet it is Applicants who claim their resources are inadequate. <sup>It would be most unfair to favor Applicants, with all their resources, over petitioners.</sup>

(5) If Applicants file on June 7, only 5 working days for informal discussion exist between then + June 14 (the conference) even if Applicants hand-deliver their responses to intervenors. This will not facilitate informal discussion + may preclude it by not having information + time needed for petitioners (e.g. myself) to deal w/ Applicants before the conference. (They say I have 153 contentions I count 135 plus a few "x"s)

(6) Applicants' 5-12-82 change of manner + place of 5-14 service indicates they simply aren't keeping up with the case, realized late that they needed to get the contentions promptly, + acted late (considering their resources + large # of lawyers) to get the contentions. But Applicants' inability to use their resources wisely or timely is no reason to grant them an extension.

Therefore I request the Board set no date later than May 28 for Applicants' responses w/o giving similar consideration to petitioners re filing contentions, + in no event to allow response after June 4, 1982. 5-24-82 Wells Eddleman