

June 30, 1982

mdv

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
LOUISIANA POWER & LIGHT COMPANY)	Docket No. 50-382
)	
(Waterford Steam Electric)	
Station, Unit 3))	

APPLICANT'S MOTION FOR EXTENSION OF TIME
TO ANSWER JOINT INTERVENORS' JUNE 15, 1982 MOTION

By motion dated June 12, 1982 (served June 15, 1982), Joint Intervenorors sought leave to reopen the record to consider new contentions and contentions excluded from this proceeding by previous rulings of the Board. The basis cited for Joint Intervenorors' motion is the decision of the Court of Appeals for the District of Columbia Circuit in Natural Resources Defense Council v. NRC, No. 74-1586 (April 27, 1982) (hereinafter "NRDC v. NRC"), which invalidated a portion of Table S-3 in 10 C.F.R. § 51 of the Commission's regulations.

The impact of NRDC v. NRC on the Commission's licensing procedure is presently under consideration by the Commission, and Applicant anticipates that the Commission will be issuing directions

*/ See 47 Fed. Reg. 26734 (June 21, 1982). The issuance of the policy statement was subsequently deferred, and is presently tentatively scheduled for the Commission's July 1, 1982 Affirmation Session.

to licensing and appeal boards on the effect of the decision on, inter alia, pending licensing proceedings. Indeed, as counsel for Applicant noted during the June 25, 1982 conference call, the Commission's agenda for June 24 originally included issuance of an "S-3 Policy Statement."^{*}/

The forthcoming Commission guidance may control the Board's determination of Joint Intervenors' motion and will likely render obsolete any response to the motion filed prior to the issuance of the Commission's guidance. Accordingly, Applicant requests that the Board extend the time for response to Joint Intervenors' motion to fourteen (14) days after issuance of the Commission's policy statement on Table S-3.^{**}/

Counsel for Applicant has contacted the other parties to the proceeding with respect to this motion. The Staff does not oppose Applicant's motion, and requests that any extension of time granted Applicant be equally granted to the Staff. The Joint Intervenors are concerned that there is no date certain for the issuance of the Commission's policy statement, but do not oppose

^{**}/ In requesting that the time for response be extended to 14 days after issuance of the Commission's policy statement, Applicant is mindful that the complexity of the policy statement issued may necessitate additional time for response to Joint Intervenors' motion.

the extension of time provided that the actual date for filing of Applicant's response is no later than August 1, 1982.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By


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Dated: June 30, 1982

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicant's Motion for Extension of Time to Answer Joint Intervenor's June 15, 1982 Motion" were served upon those persons on the attached Service List by deposit in the U.S. mail, postage prepaid, this 30th day of June, 1982.



Bruce W. Churchill

Dated: June 30, 1982

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