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Docket Nos. STN 50-522  
STN 50-523

June 3, 1983

On May 25, 1983, Applicants filed a document entitled "Applicants' Request for Extension of Time to Answer Intervenor's Motion for Summary Disposition of Contention Number 1." Applicants sought an extension of 116 days, to September 30, 1983. For the reasons set out below, Intervenor's oppose this request.

1. Applicants give no indication whatever that they can or will oppose Intervenor's motion. Indeed, Applicants concede the point presented as "an independently sufficient material fact" in Intervenor's motion: "[T]he final [Northwest Conservation and Electric Power] Plan was adopted by the Regional Council on April 27 . . . [T]he final Plan does not include the S/HNP units among the resource options." Letter from F. Theodore Thomsen to John W. Wolfe and Nicholas D. Lewis, May 25, 1983, p.2. Cf. Intervenor's Statement of Material Facts as to Which There is No Genuine Issue to be Heard on Contention 1, Item 1 (May 12, 1983).

2. Under 10 C.F.R. § 2749(c), extensions of time to respond to motions for summary disposition may be granted "should it appear

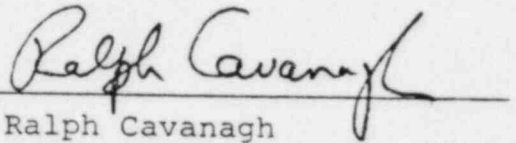
from the affidavits of a party opposing the motion that he cannot, for reasons stated, present by affidavit facts essential to justify his opposition." No such contention appears in Applicants' submission. The rule provides no other "good cause" for approving requests for extension of time.

3. As long as Applicants hold out the option of "a decision to press forward with federal and state licensing" (letter from F. Theodore Thomsen, supra, p. 2), Intervenor's motion is not moot. Precisely because Applicants contemplate a lengthy reassessment of their plans, a timely ruling by the Board will provide crucial guidance on the "implications of the Final Plan and the licensing alternatives now open . . . with respect to S/HNP." Id.

4. As the Appeal Board has noted, "[t]he orderly functioning of the administrative process scarcely would be furthered were we to allow parties to our proceedings simply to ignore our prescribed time limits whenever it suited their convenience to do so." In re Metropolitan Edison Co. (Three Mile Island Nuclear Station, Unit No. 2), ALAB-474, Nuc. Reg. Rep. ¶ 30,295, p. 28,593 (1978). Such principles have been invoked frequently against intervenors in licensing proceedings; applicants should be held to the same standard.

Since Applicants have failed to demonstrate good cause for an extraordinary extension of time -- unprecedented in this proceeding -- their request should be denied.

Respectfully submitted,

A handwritten signature in cursive script, reading "Ralph Cavanagh", is written over a horizontal line.

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

In the Matter of  
PUGET SOUND POWER & LIGHT  
COMPANY, et al.

(Skagit/Hanford Nuclear Power  
Project, Units 1 and 2)

Docket Nos. STN 50-522  
STN 50-523


June 3, 1983

CERTIFICATE OF SERVICE

I hereby certify that the following:

1. Intervenor's Answer in Opposition to Applicants' Request for Extension of Time

in the above-captioned proceeding has been served upon the persons showed on the attached list by depositing copies thereof in the United States mail on June 3, 1983 with proper postage affixed for first class mail.

  
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