

April 11, 1983

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Appeal Board

In the Matter of )  
 )  
WISCONSIN ELECTRIC POWER COMPANY ) Docket Nos. 50-266 (OLA1)  
 ) 50-301 (OLA1)  
(Point Beach Nuclear Plant, )  
Units 1 and 2) )

LICENSEE'S REQUEST FOR AN EXTENSION OF  
TIME TO FILE BRIEF IN OPPOSITION  
TO INTERVENOR'S EXCEPTIONS

On March 16, "Decade's Brief In Support of Its Exceptions To Board's Initial Decision" was filed in the above-captioned ("sleeving") proceeding. Licensee's brief in opposition to Decade's exceptions is presently due April 20, 1983, with the NRC Staff's brief due May 2, 1983.

Counsel for Licensee have numerous other obligations before the Appeal Board and Licensing Boards, necessitating additional time to respond to intervenor's brief. Specifically, counsel for Licensee are concurrently preparing for an April 19 oral argument before the Appeal Board on numerous exceptions by intervenors to the Waterford 3 Licensing Board's partial initial decision on emergency planning, and must attend the Appeal Board's April 18 tour of the Waterford 3 site. In addition, counsel for Licensee are preparing proposed findings of fact and conclusions of law on the reopened evidentiary hearings in the Waterford 3 proceeding, which are due to the Licensing Board there on April 22, 1983.

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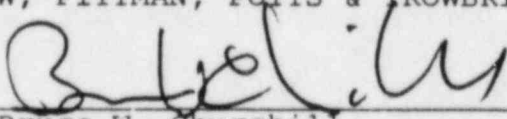
Counsel for Licensee are also presently assisting in the preparation of responses to the detailed technical questions posed by this Appeal Board in the related Wisconsin Electric steam generator replacement proceeding; those responses are due April 29, 1983. In addition, the defaulting petitioner in that proceeding (the intervenor in the above-captioned proceeding) has just filed with the Commission itself a petition for the review of the Appeal Board's March 22, 1983 decision in that case, to which counsel for Licensee must respond. See "Petition For Review of Appeal Board's Decision" (April 7, 1983).

Accordingly, pursuant to 10 C.F.R. § 2.711, Licensee respectfully requests that the Appeal Board extend the time for filing of Licensee's opposition to Decade's brief on its exceptions by one week, to April 27, 1983. Counsel for Licensee has contacted counsel for the NRC Staff, who does not oppose Licensee's request, and seeks a corresponding one week extension of time for the filing of the Staff's brief (to May 9, 1983). Counsel for Licensee has also contacted Decade's representative, Mr. Anderson, who opposes the requested extension of time due to the imminence of sleeving operations at Point Beach. However, Decade did not request a stay pursuant to 10 C.F.R. § 2.788. Therefore, no party would be prejudiced by the requested extension.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By

  
Bruce W. Churchill  
Delissa A. Ridgway  
Counsel for Licensee

Dated: April 11, 1983

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| (Point Beach Nuclear Plant,      | ) |                           |
| Units 1 and 2)                   | ) |                           |

CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Request For An Extension of Time to File Brief In Opposition To Intervenor's Exceptions" were served upon those persons on the attached Service List by deposit in the United States mail, postage prepaid, this 11th day of April, 1983, except that Decade has been served by deposit with Federal Express, this 11th day of April, 1983.

  
\_\_\_\_\_  
Melissa A. Ridgway

Dated: April 11, 1983

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