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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

SERIES OF SECRETARY
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In the Matter of)	
)	Docket No. 50-142
THE REGENTS OF THE UNIVERSITY)	(Proposed Renewal of Facility
OF CALIFORNIA)	License Number R-71)
)	
(UCLA Research Reactor))	April 29, 1983
)	

UNIVERSITY'S RESPONSE TO CBG'S APRIL 14, 1983
MOTION CONCERNING HEARING SCHEDULING MATTERS

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On April 14, 1983 CBG filed its "Motion for Reconsideration of Certain Hearing Scheduling Matters Contained in Board's Order of April 7, 1983" (Motion) requesting that the Board reconsider its April 7, 1983 "Memorandum and Order (Ruling on CBG's Motion Regarding Scheduling)" (Order). So far, in the last two months CBG has filed three motions (on March 15, April 7 and April 14) and one letter (dated April 20) concerning the scheduling of the upcoming safety-issue hearing. As understood by University, CBG is now requesting that its basic case begin on August 8 which would require, according to CBG, that the hearing commence on July 25. CBG also requests that the date for filing written testimony be changed from June 15 to some earlier date.

University is opposed to the setting of any earlier date for the filing of written testimony. As a practical matter, University can not have its testimony prepared any earlier. University regards the NRC staff's workload problems as an internal matter. University notes, however, that staff has kept the Board and parties well-informed of its scheduling constraints. The reasoning of the Offshore Power Systems case should be applied to the present situation. As the Appeal Board said, "If the staff can provide adequate assurance that it is acting as quickly and reasonably as the circumstances permit - and we emphasize the word reasonably - then the Board can ask no more and should reschedule the filing date accordingly." Offshore Power Systems (Floating Nuclear Power Plants), ALAB-48 8 NRC 194 (1978). Staff has already given such assurance.

University is not opposed to a change in the date set to begin the safety-issue hearing. However, University ascertained the availability of its witnesses based on a July 18 beginning date. If the Board chooses to change the date to accommodate CBG's witnesses, University wishes to reserve the right to modify its witness list in the event a particular witness is unavailable due to any new date that may be set by the Board.

Dated: April 29, 1983.

DONALD L. REIDHAAR
GLENN R. WOODS
CHRISTINE HELWICK

BY William H. Cormier
William H. Cormier
Representing UCLA

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CERTIFICATE OF SERVICE

I hereby certify that copies of the attached: UNIVERSITY'S
RESPONSE TO CBG'S APRIL 14, 1983 MOTION CONCERNING HEARING
SCHEDULING MATTERS

in the above-captioned proceeding have been served on the following
by deposit in the United States mail, first class, postage prepaid,
addressed as indicated, on this date: April 29, 1983.

John H. Frye, III, Chairman*
Administrative Judge
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U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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WILLIAM H. CORMIER
UCLA Representative

*Express mailed April 29, 1983

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