

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of  
DUKE POWER COMPANY, et al.  
(Catawba Nuclear Station,  
Units 1 and 2)

Docket Nos. 50-413  
50-414

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

PALMETTO MOTION FOR AN EXTENSION OF TIME

Pursuant to 10 CFR 2.717, Palmetto Alliance hereby requests an extension of time of the February 22 deadline for filing partial proposed findings, so that Palmetto may serve all of its proposed findings on the currently-scheduled final deadline, March 7, 1984.

It is clear that Palmetto has heavy responsibilities in filing its proposed findings. The Commission's Rules of Practice make it clear that failure to file proposed findings on the schedule set out by the Board may be considered a default. 10 CFR 2.754(b), 2.707. Moreover, as noted by the Licensing Board in its December 30, 1983 Order, it is the responsibility of the intervenors not only to propose findings based upon its own case, but also to respond to the proposed findings of the Applicants. Applicants have filed a mammoth 647-page document that on Contention 6 alone has 565 separately numbered proposed findings. Indeed, the Applicants themselves, in footnote 2 of their filing, acknowledge the lengthiness of their document. Moreover, the Applicants' filing is riddled with false statements and specious analysis.

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Intervenor Palmetto desires, and fully intends, to address each and every one of the many issues under consideration in this case. However, merely to reply to the Applicants' proposed findings is a massive job in and of itself. In addition to that, however, the Intervenor has a very substantial case of their own which must be addressed in their proposed findings. It will assist the Board in its consideration of the issues if Palmetto is able to thoroughly fulfill this responsibility. As noted in the attached Certificates, this motion is not made for the purposes of delay.

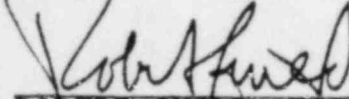
The consolidation of Palmetto's filings will also have the salutary effect of eliminating the extraneous issue of whether Palmetto accurately decided which topics to include in each partial filing, and will avoid the need for cross-referencing, a needless confusion. Perhaps to avoid the same problems, Applicant has apparently filed all of its proposed findings at once. Since the Applicants already are guaranteed an opportunity to respond to Palmetto's filing of March 7, consolidating Palmetto's findings would not prejudice the Applicant.

In addition, Palmetto believes that the consolidation of filings would facilitate the work of the Board, by presenting a more organized and unified exposition of Palmetto's findings. Moreover, it is increasingly likely that the pressure identified by the Board to issue a decision in this matter will be substantially eased by the Staff's recent commitment to resolve the looming dilemma of Transamerica-Delaval emergency diesel generators prior to licensing any of the twelve plants, including Catawba, which have such diesel generators.

Accordingly, Intervenor move for an extension of time so that

all of its proposed findings are due on March 7, 1984.

Respectfully submitted,



ROBERT GUILD, ESQ.  
P.O. Box 12097  
Charleston, SC 29412

JOHN CLEWETT, ESQ.  
236 Tenth St. S.E.  
Washington, D.C. 20003

COUNSEL FOR PALMETTO ALLIANCE

DATED: February 14, 1984.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD '84 15 A11:45

In the Matter of

DUKE POWER COMPANY, et al.

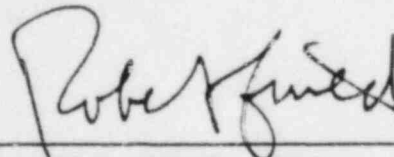
(Catawba Nuclear Station,  
Unit 1 and 2)

Docket Nos. 50-413  
50-414

OFFICE OF THE SECRETARY  
DOCKETING & SERVICE  
BRANCH

CERTIFICATE

I, Robert Guild, Esq., do hereby certify that I am counsel for Intervenor in this proceeding, that I have examined the Applicants' proposed findings of fact, served February 9, 1984, that I believe that there exist numerous material issues of fact and law that must be addressed in Palmetto Alliance's proposed findings of fact, and that in my professional opinion, such matters cannot be adequately addressed in the absence of an extension of time. I further certify that the accompanying PALMETTO MOTION FOR AN EXTENSION OF TIME is not submitted for the purposes of delay.



ROBERT GUILD, ESQ.

DATED: February 14, 1984



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NUCLEAR REGULATORY COMMISSION  
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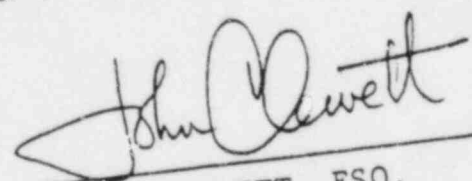
OFFICE OF  
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BRANCH

In the Matter of  
DUKE POWER COMPANY, et al.  
(Catawba Nuclear Station,  
Unit 1 and 2)

Docket Nos. 50-413  
50-414

CERTIFICATE

I, John Clewett, Esq., do hereby certify that I am counsel for Intervenor in this proceeding, that I have examined the Applicants' proposed findings of fact, served February 9, 1984, that I believe that there exist numerous material issues of fact and law that must be addressed in Palmetto Alliance's proposed findings of fact, and that in my professional opinion such matters cannot be adequately addressed in the absence of an extension of time. I further certify that the accompanying PALMETTO MOTION FOR AN EXTENSION OF TIME is not submitted for the purposes of delay.

  
JOHN CLEWETT, ESQ.

DATED: February 14, 1984

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

EX-15 A11:46

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
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In the Matter of )

DUKE POWER COMPANY, et al. )

(Catawba Nuclear Station,  
Units 1 and 2) )

DOCKET NO: 50-413  
50-414

CERTIFICATE OF SERVICE

I hereby certify that I have this 14th day of February 1984, served copies of Palmetto Alliance Motion for Extension of Time upon the following by deposit in the United States Mail, except those persons indicated by \*, who have been served by personal delivery.

\*James L. Kelley, Chairman  
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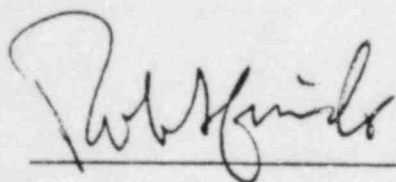
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A handwritten signature in dark ink, appearing to read "Robert Guild", written over a horizontal line.

Robert Guild