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October 23, 1995

DOCKETED  
USNRCUNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'95 OCT 24 P3:37

Before The Commission

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of )

THE CLEVELAND ELECTRIC )  
ILLUMINATING COMPANY, et al. )Docket No. 50-440-OLA-3  
ASLBP No. 90-605-02-OLA(Perry Nuclear Power Plant, )  
Unit No. 1) )LICENSEES' REQUEST FOR EXTENSION OF  
TIME TO FILE PETITION FOR REVIEW

On October 4, 1995, the Atomic Safety and Licensing Board issued its Memorandum and Order (Ruling on Motions for Summary Disposition), LBP-95-17, ruling on a Motion for Summary Disposition filed on February 7, 1994 by Ohio Citizens for Responsible Energy, Inc. and Susan L. Hiatt (collectively "OCRE") and a Cross Motion for Summary Disposition filed by The Cleveland Electric Illuminating Company, et al. ("Licensees") filed on March 21, 1994. Briefing on the motions was completed in April, 1994, approximately eighteen months ago.

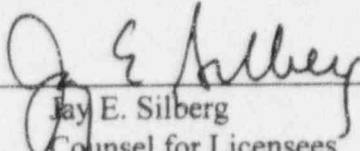
Licensees respectfully request that the Commission grant an extension until November 7, 1995 of the deadline for filing a petition for review pursuant to 10 CFR §2.786 of the Licensing Board's decision. The extension is necessary because of the time which it has taken for discussions with the NRC Staff on how they will implement the decision. The significance of the decision and whether it raises "substantial and important questions of law, policy or discretion" depend in significant part on the Staff's views on implementation.

1503

OCRE and the NRC Staff have authorized undersigned counsel to state that they do not object to the requested extension.

Respectfully submitted,

Shaw, Pittman, Potts & Trowbridge  
2300 N Street, N.W.  
Washington, D.C. 20037  
202-663-8063

By   
Jay E. Silberg  
Counsel for Licensees

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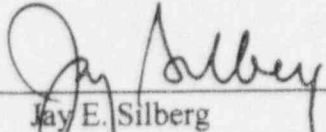
THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY, et al.

(Perry Nuclear Power Plant,  
Unit No. 1)

)  
)  
) Docket No. 50-440-OLA-3  
) ASLBP No. 90-605-02-OLA  
)  
)  
)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Licensees' Request for Extension of Time to file Petition for Review were mailed, postage prepaid, this 23d day of October, 1995 to those listed on the attached Service List.

  
Jay E. Silberg  
Counsel for Licensees

October 23, 1995

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before The Commission

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ILLUMINATING COMPANY, et al.	)	ASLBP No. 90-605-02-OLA
	)	
(Perry Nuclear Power Plant,	)	
Unit No. 1)	)	

SERVICE LIST

Secretary  
U.S. Nuclear Regulatory Commission  
Attention: Chief, Docketing and  
Service Section  
Washington, D. C. 20555

Sherwin E. Turk, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Thomas S. Moore, Esq.  
Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Ms. Susan Hiatt  
8275 Munson Road  
Mentor, Ohio 44060

Dr. Richard F. Cole  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Charles N. Kelber  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

John F. Cordes, Jr. \*  
Acting Director  
Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\*By facsimile and by mail