

4  
947

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Appeal Board

In the Matter of: )

THE CLEVELAND ELECTRIC ILLUMINATING  
CO., et. al. )

Docket Nos. 50-440 OL  
50-441 OL

(Perry Nuclear Power Plant, Units  
1 and 2) )  
)  
)  
)



SUNFLOWER'S MOTION FOR LEAVE TO FILE BRIEF INSTANTER

Now comes Sunflower Alliance, by and through counsel, and moves the Court for leave to file its brief on the merits in this appeal instanter. By order of this Board, Sunflower's Brief was due for filing on October 25, 1985. However, due to logistical difficulties and the personal illness of counsel for Sunflower on October 24 and 25, 1985, it was simply not possible to meet that deadline.

Sunflower represents that no party hereto will be prejudiced by the granting of this motion, and further that the actual date of delivery of this Brief to the parties - October 30, 1985 - is the final date by which it could have been served under the rules of service had the Brief been served on October 25, 1985.

WHEREFORE, Sunflower prays the Board allow its Brief to be filed instanter.

*Terry Jonathan Lodge*  
Terry Jonathan Lodge  
618 N. Michigan St., Suite 105  
Toledo, Ohio 43624  
(419) 255-7352

8510310272 851030  
PDR ADOCK 05000440  
G PDR

Counsel for Sunflower Alliance

CERTIFICATION

I hereby certify that a copy of the foregoing Motion was served by me this 29th day of October, 1985 upon the parties appearing on the attached Service List, via guaranteed mail.

*Terry Jonathan Lodge*  
Terry Jonathan Lodge  
DS03

SERVICE LIST

Docketing & Service Section  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Colleen P. Woodhead, Esq.  
Office of the Executive  
Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Jay Silberg, Esq.  
1800 M Street, N.W.  
Washington, D.C. 20036

Susan L. Hiatt  
8275 Munson Road  
Mentor, Ohio 44060

Alan S. Rosenthal, Chairman  
Atomic Safety and Licensing Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. W. Reed Johnson  
Atomic Safety and Licensing Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Howard A. Wilber  
Atomic Safety and Licensing Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555