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DOCKETED USARC February 7, 2000

## UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

°00 FEB 15 P3:39

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
	)	
(Private Fuel Storage Facility)	)	ASLBP No. 97-732-02-ISFSI

## APPLICANT'S REQUEST TO EXCEED PAGE LIMITATION FOR ITS RESPONSE TO STATE OF UTAH'S REQUEST FOR ADMISSION OF LATE-FILED MODIFICATION TO BASIS 2 OF UTAH CONTENTION L

Applicant Private Fuel Storage ("PFS") is working towards filing its response to the "State of Utah's Request for Admission of Late-Filed Modification to Basis 2 of Utah Contention L," [hereinafter State Request], on Monday, February 14, 2000 in accordance with the schedule set by the Atomic Safety and Licensing Board ("Board") in its February 2, 2000 Order. The Applicant requests the Board's approval to exceed the ten page limitation with respect to Applicant's response to the State's Request. In filing its request for admission of the late-filed modification to Basis 2 of Utah L, the State filed a 23-page motion (excluding affidavits). Although the Applicant does not now know exactly how long its response addressing this matter will be, it believes that it will definitely require more than 10 pages and requests that it be allowed to file a response of up to 20 pages, which is less than the length of the State's Request to modify Utah L. Applicant believes that this request is reasonable in that it is requesting fewer pages than that used by the State in its Request.

Counsel for Applicant has contacted counsel for the NRC Staff, who does not object to this page extension as long as it is allowed the same page limit as the Applicant.

Counsel for Applicant has also contacted counsel for the State, who also does not object.

Accordingly, the Applicant requests the Board that it be allowed to file a response to the "State of Utah's Request for Admission of Late-Filed Modification to Basis 2 of Utah Contention L" of up to 20 pages and that the page limitation for the NRC Staff be adjusted similarly.

Respectfully submitted,

Jay E. Silberg

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Paul A. Gaukler

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Dated: February 7, 2000

Counsel for Private Fuel Storage L.L.C.

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## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the "Applicant's Request to Exceed Page Limitation For Its Response to State of Utah's Request for Admission of Late-Filed Modification to Basis 2 of Utah Contention L," dated February 7, 2000 were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. Mail, first class, postage prepaid, this 7th day of February, 2000.

G. Paul Bollwerk III, Esq., Chairman Administrative Judge
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Deputy Director, Licensing & Inspection
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Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attention: Rulemakings and Adjudications
Staff
e-mail: hearingdocket@nrc.gov
(Original and two copies)

\* Adjudicatory File Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001

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