

RAS 2827

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED 03/07/01  
SERVED 03/07/01

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judge:

Charles Bechhoefer  
Presiding Officer

In the Matter of

POWER AUTHORITY OF THE STATE OF  
NEW YORK and ENTERGY NUCLEAR  
FITZPATRICK LLC, ENTERGY NUCLEAR  
INDIAN POINT 3 LLC, and ENTERGY  
NUCLEAR OPERATIONS, INC.

(James A. FitzPatrick Nuclear Power Plant  
and Indian Point Nuclear Generating Unit No.  
3)

Docket Nos. 50-333-LT  
and 50-286-LT  
(consolidated)

ASLBP No. 01-785-02-LT

March 7, 2001

MEMORANDUM AND ORDER  
(Corrected Version, Response to Motion to Strike)

In my March 6, 2001 Memorandum and Order, I provided that CAN must file its response to the Licensees' March 5, 2001, Motion to Strike Portions of CAN's Statement of Position and Testimony on Issue 3 no later than 11:59 p.m. on Sunday, March 11, 2001. I also provided that, at the outset of the oral hearing on March 14, I will hear oral argument from both parties concerning the motion. The oral hearing date specified should have been March 13, 2001 (a typographical error). In addition, the oral argument will take place immediately prior to the hearing on Contention 3, which will commence following the hearing on Contention 2.

IT IS SO ORDERED.

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Charles Bechhoefer, Presiding Officer  
ADMINISTRATIVE JUDGE

Rockville, Maryland

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
POWER AUTHORITY OF THE STATE OF )  
NEW YORK, ET AL. )  
)  
(James A. FitzPatrick Nuclear Power Plant ) Docket Nos. 50-333-LT and  
and Indian Point Nuclear Generating ) 50-286-LT  
Unit No. 3) (consolidated)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (CORRECTED VERSION, RESPONSE TO MOTION TO STRIKE) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Steven R. Hom, Esquire  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Timothy L. Judson  
CNY-Citizens Awareness Network  
140 Bassett St.  
Syracuse, NY 13210

Administrative Judge  
Charles Bechhoefer, Presiding Officer  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Gerald C. Goldstein, Esquire  
Arthur T. Cambouris, Esquire  
David E. Blabey, Esquire  
The Power Authority of the State of New York  
1633 Broadway  
New York, NY 10019

Stewart M. Glass, Esquire  
Senior Assistant County Attorney  
Westchester County  
Dept. of Law, Room 600  
148 Martine Avenue  
White Plains, NY 10601

Docket Nos. 50-333-LT and 50-286-LT  
(consolidated)  
LB MEMORANDUM AND ORDER  
(CORRECTED VERSION, RESPONSE  
TO MOTION TO STRIKE)

Joseph R. Egan, Esquire  
Egan & Associates, P.C.  
1500 K Street, NW  
Suite 200  
Washington, DC 20005

Thomas F. Wood, Esquire  
Town of Cortlandt  
153 Albany Post Road  
Buchanan, NY 10511

Jay E. Silberg, Esquire  
Shaw Pittman  
2300 N Street, NW  
Washington, DC 20037-1128

Douglas E. Levanway, Esquire  
Wise, Carter, Child and Caraway  
401 E. Capitol St., Suite 600  
P.O. Box 651  
Jackson, MS 39205-0651

George E. Sansoucy, P.E.  
260 Ten Rod Road  
Rochester, NH 03867

John Valentino, Esquire  
Green & Seifter  
One Lincoln Center, 9<sup>th</sup> Floor  
Syracuse, NY 13202

Nancy T. Bocassi  
Hendrick Hudson School District  
61 Trolley Road  
Montrose, NY 10548

Deborah Katz, Executive Director  
Citizens Awareness Network  
P O Box 83  
Shelburne Falls, MA 01370

John M. Fulton, Esquire  
Entergy  
600 Rocky Hill Road  
Plymouth, MA 02360

[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 7<sup>th</sup> day of March 2001