



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

AUG 25 1966

Spring file

Miss Elizabeth R. Hogan
222 West 77th Street
New York, New York 10024

In the Matter of Consolidated Edison Company
of New York, Inc.
(Indian Point Station Unit No. 2)
Docket No. 50-247 *(suppl)*

Dear Miss Hogan:

Your letter to the Commission dated August 12, 1966, has been referred to me as counsel for the regulatory staff in this matter. Under its "Rules of Practice," 10 CFR Part 2, the Commission provides for two methods for appearances in a case, either as a party intervenor or as a limited participant who is entitled to present an oral or written statement. I have enclosed a copy of the Commission's "Rules of Practice" for your assistance.

Any person desiring to participate as an intervenor must meet the requirements of § 2.714, 10 CFR Part 2. In essence, this section requires that the person petitioning to intervene must set forth his interest in the proceeding, how the interest may be affected by Commission action, and his contentions. The right of an individual to intervene may be opposed by the parties to the proceeding. If the petition to intervene is granted, the intervenor becomes a party to the proceeding with the right to ask questions of the witnesses and submit evidence. Any evidence submitted by the intervenor is, of course, subject to cross-examination by the other parties.

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For a person who wishes to make a statement concerning a proposed licensing action without assuming the responsibilities of a party, the Commission has provided for "limited appearances," which are described in § 2.715. A person making a limited appearance may state his position on the issues, within such limitations and on such conditions as may be fixed by the Atomic Safety and Licensing Board hearing the matter. Since he is not a party, a person making a limited appearance may not otherwise participate in the proceeding.

From your letter it is not clear which of the two methods of appearance you are considering. After your review of the pertinent sections of the "Rules of Practice," you may desire to give further consideration to the scope of your appearance, information concerning which should be given in accordance with the rules to all parties in the proceeding. The parties on record, at the time you file your request to appear, are entitled to answer or comment on your request and consideration of these matters. If a formal petition to appear is not filed, it may be undertaken when the evidentiary portion of the proceeding convenes.

For your information, the Atomic Safety and Licensing Board which will hear this matter has continued the evidentiary hearing until September 14, 1966, to convene at 10:00 a.m., (local time) in the Buchanan Engine Company, No. 1, Inc., Albany Post Road, Buchanan, New York.

For your further assistance, I have enclosed a copy of the "Safety Evaluation" by the regulatory staff in this

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proceeding which sets forth an analysis of the pertinent safety considerations.

Sincerely,

Original Signed by Troy B. Conner, Jr.

Troy B. Conner, Jr.
Trial Counsel

Enclosures:

1. "Rules of Practice"
2. Staff's "Safety Evaluation"

cc: Office of the Secretary, w/o encl.
Arvin E. Upton, Esquire
Joseph F. Scinto, Esquire