

BEFORE THE UNITED STATES

ATOMIC ENERGY COMMISSION

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

ANSWER OF APPLICANT TO PETITION OF MARY HAYS WEIK
FOR LEAVE TO INTERVENE, AND MOTION TO STRIKE

By a petition for leave to intervene dated December 7, 1970, Mary Hays Weik seeks to intervene in the above-captioned proceeding, urging that the proposed operating license for Indian Point Unit No. 2 be denied.

Applicant does not oppose the admission of Mary Hays Weik as a party to this proceeding, although Applicant does not admit the truth of the assertions contained in paragraphs II and III of the petition questioning the safety of the facility.*

*Applicant has been informed that the petition was not filed with the Commission in an original and twenty copies as required by the Commission's Rules of Practice, but apparently was sent to the Chairman of the Atomic Safety, and Licensing Board. Further, proof of service was apparently not supplied in accordance with the Commission's Rules.

hearing

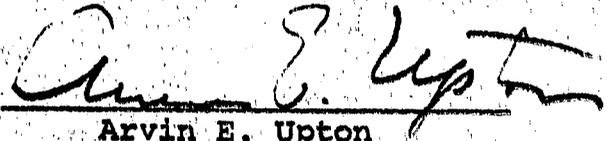
Applicant denies the three contentions of paragraph IV, as well as the contention contained in the concluding paragraph of the petition, to the extent they imply that the plant will not be operated in accordance with Commission regulations or that there is not reasonable assurance that the health and safety of the public will be protected.

Applicant moves to strike the third contention in paragraph IV. Whether or not the Company has improperly expended or will improperly expend funds in the construction or operation of this facility (and the Applicant denies that funds have been or will be improperly so expended) is not relevant to any issue specified in the Notice of Hearing in this proceeding.

Respectfully submitted,

LeBOEUF, LAMB, LEIBY & MacRAE
Attorneys for Applicant

By



Arvin E. Upton
Partner

Dated: December 14, 1970

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U.S. ATOMIC ENERGY COMM.
MAIL & RECORDS SECTION