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

Apr 11 12, 1971

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

Gentlemen:

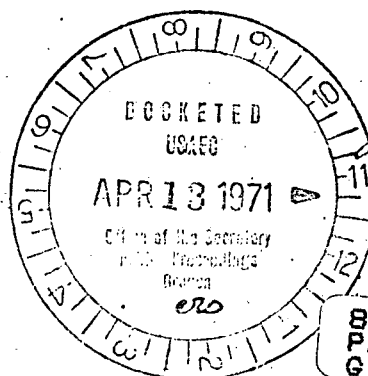
On March 27, 1971, intervenors Environmental Defense Fund, Inc. (EDF) and Hudson River Fishermen's Association (Association) sent a telegram to the board requesting to be allowed to introduce evidence challenging the validity of Appendix D to Part 50 of the Commission's Rules and Regulations. These intervenors submitted a formal motion for "The Taking of Interrogatories, Production and Copying of Documents and Taking of Depositions" on April 2, 1971. In the interval, the Chairman of the board on March 30, 1971 requested that EDF and Association submit a brief of the law concerning the authority, if any, for any interrogation to be made respecting the decisional process undertaken by a regulatory Commission in the adoption of a rule. Counsel for EDF advised the Chairman on April 5, 1971 that counsel for Association would file a brief on the subjects mentioned in the Chairman's letter of March 30, 1971 during that week.

The AEC regulatory staff has not received the above-mentioned brief as of this date, and is deferring our response to the motion filed on April 2, 1971 until receipt thereof. The motion and the brief are considered as one and we will respond to both of them at one time.

Respectfully submitted,

*Myron Karman*  
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Counsel for AEC Regulatory Staff

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