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April 2, 1971

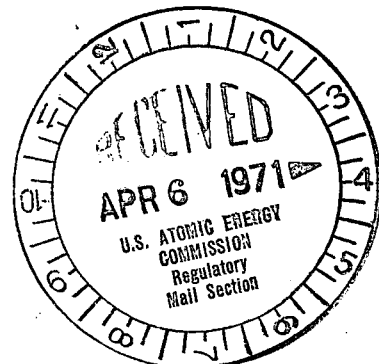
Samuel W. Jensch, Esq.
Chairman
Atomic Safety and Licensing Board
U. S. Atomic Energy Commission
Washington, D. C. 20545

Re: Consolidated Edison Company of New York,
Inc., Indian Point Station Unit No. 2
Docket No. 50-247

Dear Mr. Chairman:

We transmit herewith the formal motion and supporting papers which we advised you in our telegram of March 26, 1971, would be submitted by April 2, 1971.

The Intervenor wish to have the Indian Point Unit No. 2 hearings move forward in an expeditious manner. Therefore we repeat our suggestion that if the motion to address interrogatories is granted, the interrogatories will be served within three business days of the receipt of the Board's order. If the motion for production and copying is granted, such demands will be made within five business days from the receipt of answers to interrogatories. If the motion for taking of depositions is granted, such depositions will be noticed within five business days after the completion of discovery and production.



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Samuel W. Jensch, Esq.

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It is our understanding that a formal motion for the introduction of evidence is not necessary and so that portion of the telegram is not repeated in these papers.

It is conceivable that it may be necessary to put questions to other parties, depending on the results of the interrogatories. For instance, if the basis of the exception to the March 4th date in the case of Vermont Yankee is established, it might be necessary to inquire if similar circumstances are present at Indian Point. Intervenors would strive to keep such questioning to a minimum and work out any exchange without formal motions to the Board.

We spoke with Mr. Trosten at noon today and he informed us of a letter addressed by the Board to us and dated March 30, 1971. That letter had not been received in this office before we spoke with Mr. Trosten. He was kind enough to have the letter dictated to us. On reading the letter, it became apparent that the Board would like the Intervenors to address themselves to questions of law which they did not think necessary to support the present motions. It has been impossible to answer those questions in the course of the afternoon. Intervenors wish to meet the requests of the Board and in order to do so intend to file a brief in response to the Board's questions next week.

We apologize for this additional delay and can only offer our regrets for the inefficiency of the postal service.

Yours very truly



ANGUS MACBETH, ESQ.

RICHARD M. HALL, ESQ.

AM/RMH:pes

Enc.