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May 1, 1972

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

Mr. R. B. Briggs, Director  
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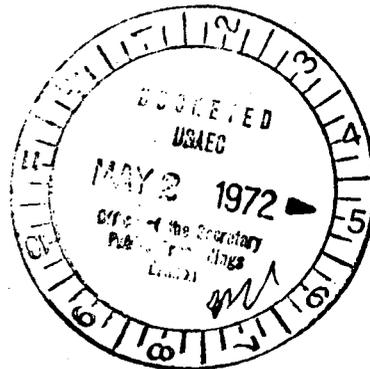
Dr. John C. Geyer, Chairman  
Department of Geography and  
Environmental Engineering  
The Johns Hopkins University  
Baltimore, Maryland 21218

Re: Consolidated Edison Co. of  
New York (Indian Point, Unit  
No. 2)  
Docket No. 50-247

Gentlemen:

In a letter to the Board dated April 28, 1972, counsel for the Applicant has suggested several changes in the hearing schedule. At no time prior to April 28 did he contact me with respect to this request. I find most of the suggestions unacceptable and believe personal consultation prior to sending the letter would have saved all of us a great deal of time.

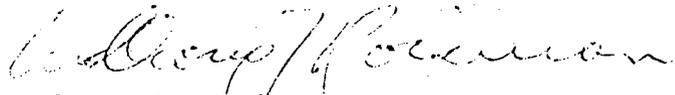
As I have indicated previously, I am opposed to marathon hearing sessions which become endurance tests and befog the hearing record. Thus I oppose any night or weekend sessions particularly if I am the attorney who is conducting cross-examination all day. Second, I oppose any transfer of the radiological hearing from its present schedule to the following week. Relying upon the Board's



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hearing schedule order I have made other commitments for the week of May 22. Third, the letter of Applicant's Counsel is grossly misleading because it implies that EDF and HRFA acquiesce in a hearing on the 90% interim operating license. The joint answer of EDF and HRFA to the request for a 90% license, clearly is to the contrary and that remains our position. The Board should resolve the legal issues raised in our response prior to establishing any schedule for environmental matters. According to our records, the Applicant is seriously in default in responding to those legal contentions. We urge the Board to compel the Applicant to promptly respond and to prevent any further delay in this hearing by the Applicant.

Sincerely,



Anthony Z. Roisman  
Counsel for Environmental Defense  
Fund and Citizens Committee for  
Protection of the Environment

AZR/pq

cc: All parties of record.