

BEFORE THE UNITED STATES
ATOMIC ENERGY COMMISSION

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

4-372.
Docket No. 50-247

ANSWER OF INTERVENORS HUDSON RIVER FISHERMEN'S
ASSOCIATION AND ENVIRONMENTAL DEFENSE FUND TO
APPLICANT'S MOTION FOR ISSUANCE OF A LICENSE
AUTHORIZING LIMITED OPERATION

On September 24, 1971, Applicant, Con Edison, moved for the grant of a license to operate the Indian Point 2 facility at a steady state power level of 2482 megawatts thermal (90% of full power).

After discussions between the parties, Intervenor HRFA and EDF signed a stipulation on November 2, 1971 stating that they would not oppose the issuance of a license, for testing purposes only, up to 50% of full power. Intervenor reserved the right to oppose any further license requested by Con Edison.

Con Edison is now requesting 90% operating license described in its original moving papers.

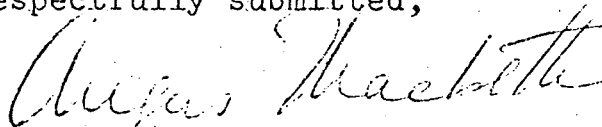
HRFA and EDF oppose the issuance of a 90% operating license to Con Edison and request that the Board deny Con Edison's motion.

HRFA and EDF will cross-examine Con Edison's witnesses and offer evidence of their own in support of this position. This evidence will show that, after the balancing of factors required by Section D.2 of Appendix D to 10 CFR Part 50, operation during

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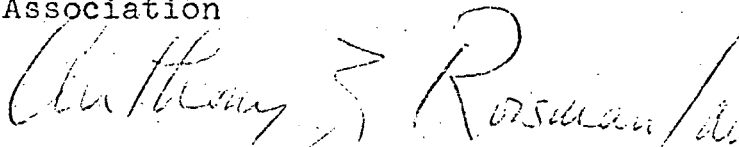
the period of the ongoing NEPA review is not warranted.
In addition there are various legal bars to the granting
of the Con Edison's motion. These are discussed in the
attached memorandum of law and are further grounds on which
HRFA and EDF oppose the granting of the motion.

Respectfully submitted,



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Dated: April 3, 1972