

BEFORE THE UNITED STATES

ATOMIC ENERGY COMMISSION

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

2-8-72

SUPPLEMENT TO
APPLICANT'S PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF
LAW IN THE FORM OF A PROPOSED INITIAL DECISION
WITH RESPECT TO MOTION FOR 50 PERCENT
TESTING LICENSE
PART I

Insert after Paragraph 9 on page 7:

9A. This Initial Decision does not address itself to the balancing of factors required by 10 CFR 50 Appendix D Section D.2., since operation for testing purposes in excess of 20% of full power is requested. In accordance with the Supplementary Notice of Hearing issued on November 29, 1971, the Board has certified the record to the Commission for its determination in this regard.

Insert at end of Paragraph 96 on page 75:

WHEREFORE, in accordance with the foregoing it is ordered this ___ day of _____, 1972 that, subject to the prior approval of the Commission as required by Appendix D Section D.2., the Director of Regulation is authorized to issue to the Applicant an amendment to

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its operating license DPR-26 authorizing operation for testing purposes at power levels up to 1379 MWt (50% of full power), such amendment to be substantially in the form of Staff Exhibit _____ in this proceeding; and it is further ordered that in accordance with 10 CFR Sections 2.760, 2.762, 2.764, 2.785, and 2.786, this initial decision, good cause not having been shown to the contrary, shall be effective immediately upon Commission approval pursuant to Appendix D Section D.2., and shall constitute the final decision of the Commission forty-five (45) days after the issuance of this decision, subject to the review thereof and further decision pursuant to the above-cited rules. Exceptions to this decision and supporting briefs may be filed by any party within twenty (20) days of service of this initial decision and briefs may be filed by any other party in support of or in opposition to such exceptions within ten (10) days after service of such exceptions.

Respectfully submitted,

LEBOEUF, LAMB, LEIBY & MACRAE

By

Leonard M. Trosten

Leonard M. Trosten
Partner

Dated: February 8, 1972

BEFORE THE UNITED STATES

ATOMIC ENERGY COMMISSION

In the Matter of) *28-72,*
Consolidated Edison Company) Docket No. 50-247
of New York, Inc.)
(Indian Point Station, Unit No. 2))

CERTIFICATE OF SERVICE

I hereby certify that I have served (1) a document entitled "Supplement to Applicant's Proposed Findings of Fact and Conclusions of Law in the Form of a Proposed Initial Decision with Respect to Motion for 50 Percent Testing License - Part I" and (2) a document entitled "Applicant's Proposed Findings of Fact and Conclusions of Law in the Form of a Proposed Initial Decision with Respect to Motion for 50 Percent Testing License - Part II" by mailing copies thereof first class and postage prepaid, to each of the following persons this 8th day of February, 1972:

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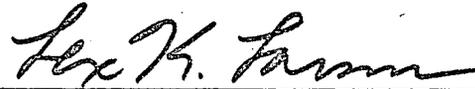
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