

Natural Resources Defense Council, Inc.

36 WEST 44TH STREET
NEW YORK, N.Y. 10036

212 986-8310

Washington Office

1600 TWENTYFIFTH STREET, N.W.
WASHINGTON, D.C. 20009
202 587-2855

January 5, 1972

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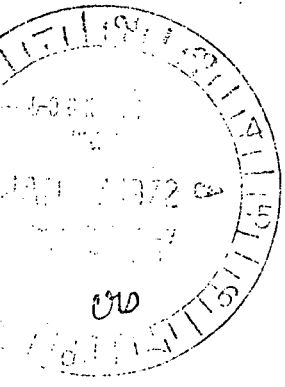
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Environmental Engineering
The Johns Hopkins University
513 Ames Hall
Baltimore, Maryland 21218

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

Gentlemen:

In a letter dated December 27, 1971 to counsel for all parties of record, the Board requested a statement of the parties respecting a proposed agenda for the presently scheduled January 11, 1972 session of the hearing in this proceeding.

There are two items before the Board which counsel for Hudson River Fishermen's Association believe it would be appropriate to take up at this time: the remaining matters relating to radiological health and safety and Con Edison's motion for a license to operate the plant, for testing purposes only, up to 50% of full power. The Hudson River Fishermen's Association is not contesting the issuance of a license on radiological grounds and has stipulated that it will not oppose the issuance of a license to operate the plant, for testing purposes only, up to 50% of full power. Therefore the Hudson River Fishermen's Association will not adduce evidence or cross-examine



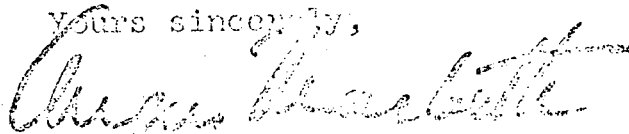
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on these issues and see no objection to the hearing on January 11, 1972 taking up these issues.

Counsel for Hudson River Fishermen's Association have discussed with Con Edison's counsel possible scheduling for hearings on environmental matters involved in the issuance of any license authorizing operation other than for testing up to 50% of full power. It is the understanding of HRFA's counsel that Con Edison will not ask for such hearings to be held before the middle of February. Hudson River Fishermen's Association has timed its preparation with mid-February as the first time at which hearings for such a license would be held and would object to taking up any such matters in the hearings scheduled for January 11, 1972.

There is some ambiguity in various parts of the impact statement submitted by the AED staff and dated December 30, 1971. Counsel for HRFA wish it to be fully understood that under the "Supplement to Applicant's Motion for Issuance of a License Authorizing Limited Operation," dated October 19, 1971, Con Edison is now asking solely for a operating license, for testing purposes only, up to 50% of full power. HRFA strongly feels that evidence on environmental matters taken at the January 11, 1972 hearings should be limited to that license.

Yours sincerely,



Angus Macbeth

AM/js

cc:

Mr. Stanley T. Robinson, Jr.
J. Bruce MacDonald, Esq.
Leonard M. Trosten, Esq.
Anthony Z. Roisman, Esq.
Honorable William J. Burke
Myron Karmen, Esq.