

1/16/73

BEFORE THE
UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of

CONSOLIDATED EDISON COMPANY)
OF NEW YORK (Indian Point,)
Unit No. 2))

| Docket No. 50-247

NOTICE TO APPLICANT

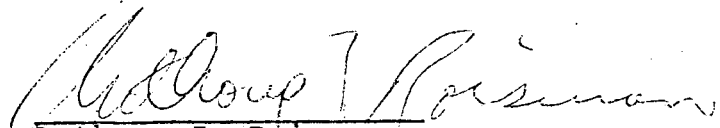
In its January 6, 1973, Memorandum and Order in this case the Atomic Safety and Licensing Appeal Board noted that its denial of our Request for Consolidated Hearing on fuel densification was without prejudice to a subsequent filing of a motion seeking to incorporate in the record of Indian Point #2 all or portions of the Point Beach #2 hearing. The purpose of this notice is to advise you that we do intend to file such a motion once we have reviewed the Point Beach #2 record.

It is no secret that the principal presentation by the Applicant in both proceedings on radiological matters in general and on fuel densification in particular will be by employees of Westinghouse. Thus, in substance, the same principal party will appear in both proceedings as a

representative of the Applicant. The Staff will appear in both proceedings. The principal Intervenors on radiological issues in both cases will rely on the same technical assistance. In these circumstances early notice allows you and other parties to adequately protect their interest in the Point Beach #2 hearing to the extent that the record there is relevant to the fuel densification issue in this case.

Thus, by this Notice, we are advising you that you should have no legal or other objection to our request to incorporate by reference the relevant portions of the Point Beach #2 hearing record and that matters duplicative of that hearing record should not be allowed to be raised in the Indian Point #2 record in the form of testimony or cross-examination. This will avoid unnecessary delay in the resolution of this outstanding safety issue.

Respectfully submitted,



Anthony Z. Roisman
Counsel for Citizens Committee
for the Protection of the
Environment

Dated: January 16, 1973