

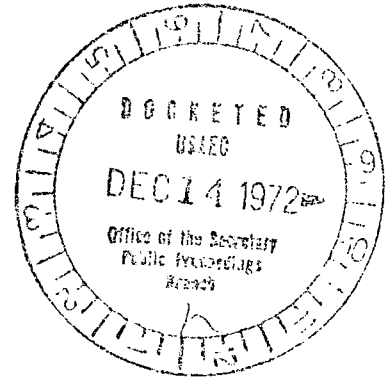
BERLIN, ROISMAN AND KESSLER
1712 N STREET, NORTHWEST
WASHINGTON, D. C. 20036

PROD. & UTIL. FAC. 50 247

AREA CODE 202
PHONE 833-9070

EDWARD BERLIN
ANTHONY Z. ROISMAN
GLADYS KESSLER
DAVID R. CASHOAN
KARIN P. SHELDON

December 11, 1972



Sidney Kingsley, Chairman
Atomic Safety & Licensing Appeal Board
U. S. Atomic Energy Commission
Washington, D. C. 20545

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

Dear Mr. Chairman:

Pursuant to the letter of the Chairman of the Atomic Safety & Licensing Appeal Board Panel of December 4, 1972, we understand that our letter of November 28, 1972, has been treated as a Petition for Reconsideration. We therefore find no support for the applicant's suggestion in its December 8 letter to you, that we expend substantial time and money to do again what we have already done once.

In addition the applicant's request for an extension of time to respond to our Petition is without merit. First, applicant filed a response on December 2, 1972. Second, applicant is represented by at least six lawyers who have made formal appearances in the proceeding and any one of whom should be available to file any further response if one is required. The Appeal Board should not allow the applicant to delay the orderly resolution of this hearing.

Finally, we feel it worth noting that our Petition for Reconsideration is directed toward a reinterpretation of the existing ECCS regulation and not an attack upon it and is based upon data of which this Appeal Board can take official notice - i.e. testimony at another AEC hearing at which all relevant parties here are also parties of record.

Sincerely,

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

AZR/ah

CC: All Parties of Record

8111020343 721211
PDR ADOCK 05000247
PDR

b7c
2