

BOOK 6
PROD. & UTIL. No. 50247

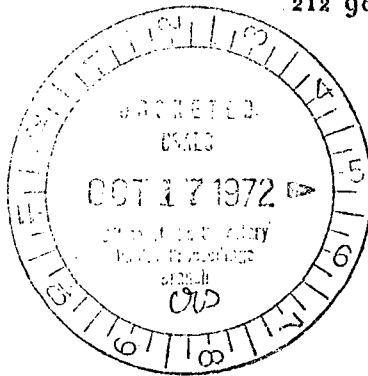
Natural Resources Defense Council, Inc.

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August 25, 1972 RECEIVED
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OFFICE OF
HEARING EXAMINERS

Samuel W. Jensch, Esq.
Chairman, Atomic Safety and
Licensing Board
U. S. Atomic Energy Commission
Washington, D. C. 20545

Re: Consolidated Edison Company
of New York, Inc.
(Indian Point Unit No. 2)

Dear Mr. Jensch:

I am writing in response to your letter of August 14, 1972, inquiring of the parties on the future course of proceedings regarding the operating license for Indian Point 2.

I have consulted with the attorneys for Con Edison and for the Regulatory Staff, and it is the opinion of all involved that hearings on environmental matters should not reconvene until a reasonable period after the Final Environmental Impact Statement has been published. At that time, the Staff will be prepared to state its position on the environmental issues and each party's contentions, examination, and cross-examination of witnesses, can be responsive to the position of the Staff and the position of the other parties.

The Hudson River Fishermen's Association wishes to proceed promptly with the hearing and suggests the following schedule for hearing preparation:

1. Within twenty (20) days of the receipt of the Final Statement, the parties shall exchange the written testimony which they seek to introduce at the hearing.

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Washington, D. C. 20545
August 25, 1972

2. Within fourteen (14) days of the exchange of testimony, the parties shall exchange an initial statement of the matters in contention between them.

3. Within seven (7) days of the exchange of initial contentions, the parties shall exchange a final statement of contentions.

4. Within ten (10) days of the exchange of final contentions, the parties shall exchange a statement of the areas in which they seek to cross-examine the witnesses of the other parties and shall file such additional testimony as they then deem necessary to rebut the contentions of other parties.

5. Seven (7) days after the exchange of the statement on cross examination, all parties shall be prepared to go to hearing.

In addition, at least one conference-type hearing should be held during this period to obtain final agreement to the hearing schedule and to discuss any outstanding legal matters.

This schedule will permit hearings to begin fifty-eight (58) days after the receipt of the Final Environmental Impact Statement. In a situation on which it has taken approximately a year to develop the Final Environmental Statement, this schedule would provide prompt process to the hearing process.

If Con Edison chooses to request a temporary operating license at such a time that preparation and hearing on that license conflict with the proposed schedule, appropriate amendment of the schedule will have to be made.

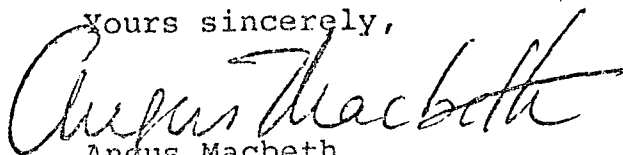
I enclose a copy of the testimony of John Clark on "Certain Effects of Once-Through Cooling Systems of Indian Point Units Nos. 1 & 2 on Hudson Estuary Fishes and Their Environment" dated July 14, 1972, which was forwarded

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August 25, 1972

to Con Edison's attorneys on that date, following the agreement made at the hearing in June.

Anthony Z. Roisman on behalf of EDF joins me in this letter.

Yours sincerely,


Angus Macbeth

AM/sp
Enclosure

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August 25, 1972

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The Honorable Louis J. Lefkowitz
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