

50-247
4/23/73
Sidney G. Kingsley, Esq., Chairman
Atomic Safety and Licensing Appeal Board
U. S. Atomic Energy Commission
Washington, D.C. 20545

In response to the Appeal Board's telegram on the license to operate Indian Point II (Dkt 50-247) to 50% of full power for testing purpose only, the Hudson River Fishermen's Association has no objection to the issuance of this license so long as it reflects the stipulation between the parties reached on March 7, 1973 and reflected in the transcript at 9852-9853:

The period of time during which testing shall take place pursuant to the 50 percent testing license which is the subject of Applicant's motion, dated September 24, 1971, supplemented October 19, 1971, shall be that period necessary to accomplish the testing outlined in the Final Safety Analysis Report, Sections 13.3.1 to 13.3.3, and Applicant's testimony dated October 19, 1971 in support of its motion. (Follows transcript 4013. See also transcript 5724-5725, 5730-5731.)

It is understood that the testing will require the period of time set forth in Applicant's above-mentioned testimony. The ideal schedule of seven days of testing and up to 20 percent power and 42 additional days of testing at up to 50 percent of power.

Experience indicates that twice this number of days of testing may be required to accomplish the testing program. Days of testimony may, but most probably will not be consecutive.

The Staff will delete the requirement of thermal model testing in the proposed environmental technical specifications. (See pages 2-4, 6-5, and 6-10, submitted to the Board on September 21, 1972.)

The period of the testing license shall be nine months. The Applicant will make a report to the Board and the parties on the course of the testing:

- (1) Fifty days after issuance of the license.
- (2) 100 days after issuance of license, and,
- (3) At the end of the testing program authorized by the license, unless the full power license is issued before the expiration of that period.

On the understandings reflected above, the Hudson River Fishermen's Association withdraws its motion dated February 21, 1973.

Copies of this telegram have been mailed to all parties on Hudson River Fishermen's Association's service list.

Angus Macbeth

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UNITED STATES OF AMERICA

ATOMIC ENERGY COMMISSION

In the Matter of

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

}
} Docket No. 50-247
}

CERTIFICATE OF SERVICE

I hereby certify that the attached telegram to Sidney G. Kingsley, Esq. have been served on the following by deposit in the United States mail, first class, on the 23rd day of April, 1973:

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A handwritten signature in cursive script that reads "Angus Macbeth". The signature is written in dark ink and is positioned above a horizontal line.

ANGUS MACBETH