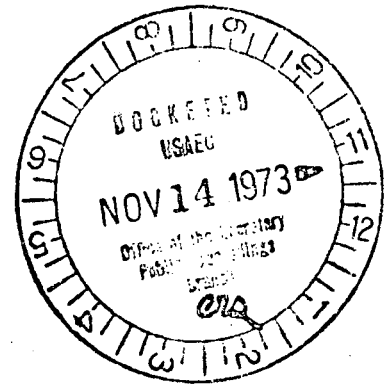


The applicant estimates a longer time for approval and construction but gives no evidentiary basis for its prolonged time estimates (Tr. 10339).

The AEC Staff, HRFA, and the State of New York have demonstrated beyond meaningful dispute, and the Board has found, that serious and irremediable environmental harm will be done to the ecosystem of the Hudson River, particularly the striped bass fishery, if applicant is permitted to operate its once-thru-cooling system at Indian Point 2. [Initial Decision, 51, 69, 105, 107]. After such a finding, and in light of the overwhelming evidence in the record on this subject, it would be incongruous to grant the applicant until 1978 to correct the environmental hazards inevitably stemming from its present operations, where the record shows that construction of a natural draft cooling tower may be completed a year earlier. [Tr. 6254, 6276, 6939, 6957, 7555, 7557, 7578, 7584, 9711, 9712, 9892, 10339, 10543].

Should it develop that the applicant, through no fault of its own, will not be able to complete construction by December 1, 1977, it may apply to the AEC for an extension of time. This procedure would certainly be more appropriate, and more protective of our environment, than the initial granting of what may likely be an unnecessarily protracted period of time.



BEFORE THE UNITED STATES  
ATOMIC ENERGY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that pursuant to the order of the Atomic Safety and Licensing Appeal Board dated November 7, 1973, I have served an amended page 7 of the State of New York's Brief on Exceptions To The Initial Decision of the Atomic Safety and Licensing Board dated September 25, 1973, by mailing copies thereof first class and postage prepaid to the following persons this 12th day of November, 1973:

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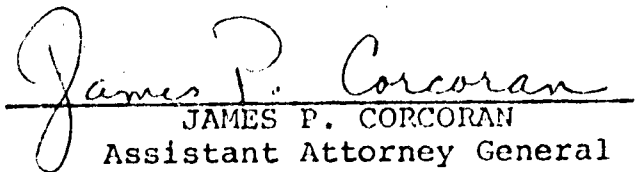
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