

May 30, 1974

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))	

BEFORE THE ATOMIC SAFETY
AND LICENSING APPEAL BOARD

CONSOLIDATED EDISON'S ANSWER IN OPPOSITION
TO CCPE'S MOTION TO REOPEN THE RECORD

Consolidated Edison Company of New York, Inc.

("Consolidated Edison") opposes CCPE's motion to reopen the record on the ground that the motion is impermissible under the Commission's Rules of Practice. Moreover, even if CCPE's motion were properly before the Appeal Board, the motion does not meet the criteria enumerated by the Atomic Safety and Licensing Appeal Board in the Vermont Yankee proceeding, i.e., the motion is untimely and fails to present a matter of major significance to the safety of the Indian Point 2 facility.^{1/}

For all these reasons CCPE's motion should be denied.

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Vermont Yankee Nuclear Power Corp. (Vermont Yankee Nuclear Power Station), ALAB-138, RAI-73-7 at 520, 523 (July 25, 1973); Vermont Yankee Nuclear Power Corp. (Vermont Yankee Nuclear Power Station), ALAB-126, RAI-73-6 at 393, 394 (June 7, 1973); Vermont Yankee Nuclear Power Corp. (Vermont Yankee Nuclear Power Station), ALAB-124, RAI-73-5 at 358, 364-65 (May 23, 1973).

Staff respectfully requests an extension until August 23, 1974, in which to comply with the Board's Order. Counsel for both Applicant and Intervenor were contacted and voiced no objection.

Respectfully submitted,



James R. Tourtellotte
Acting Assistant Chief Hearing Counsel

Dated at Bethesda, Maryland
this 16th day of August, 1974

Mr. James P. O'Reilly
March 29, 1974
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This case is now pending before the Atomic Safety and Licensing Appeal Board. Your response to this request within seven days is therefore essential.

Sincerely,



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

AZR/pq

CC: All parties of record.
L. Manning Muntzing