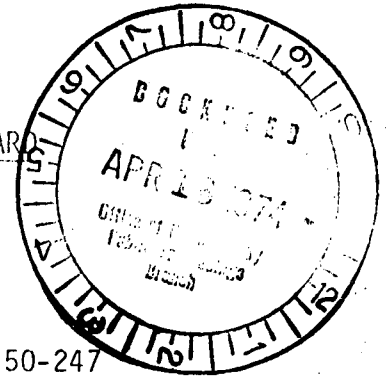


4/15/74

UNITED STATES OF AMERICA  
ATOMIC ENERGY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of )  
Consolidated Edison Company )  
Of New York, Inc. )  
(Indian Point Nuclear Generating )  
Station, Unit 2 )

Docket No. 50-247

MOTION OF AEC REGULATORY STAFF FOR EXTENSION  
OF TIME TO FILE PETITION FOR RECONSIDERATION

On April 4, 1974, the Atomic Safety and Licensing Appeal Board issued a final Decision (ALAB-188) in the captioned matter. Pursuant to 10 CFR § 2.771, a petition for reconsideration of the final decision must be filed by April 15, 1974. The staff hereby moves for an Order permitting an extension of time of 60 days for the staff to determine whether a petition for reconsideration should be filed and, if so, to file such a petition for reconsideration.

Good cause exists for granting this motion.

ALAB-188 discusses in detail factual and legal issues which have been the subject of controversy over the course of some three and one-half years of hearings in this proceeding during which period of time the Licensing Board held 60 days of public hearings. The transcript of the proceeding totals 11,801 pages, not including the hundreds of pages of prepared testimony physically incorporated into the record as if read and the exhibits received into evidence. Additional hundreds of pages are contained

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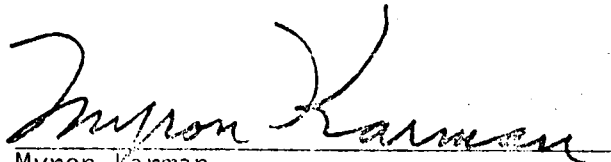
in the Applicant's Environmental Report and the Staff's Final Environmental Statement, both of which are part of the record in this proceeding.

The Appeal Board's findings on the various technical issues must be reviewed and evaluated against this voluminous record. Of particular import are the findings concerning the extent of the Hudson River's contribution of striped bass to the Mid-Atlantic Fishery, and the validity of the Staff's entrainment model vis a vis the Applicant's model including such input assumptions as compensation and f factors. A re-examination of the evidence of record concerning these issues, as well as other matters discussed by the Appeal Board, was commenced immediately upon receipt of ALAB-188 by the staff. However, it is now obvious that more time is required to analyze the Appeal Board's lengthy decision and to re-examine the voluminous record in this proceeding, particularly with respect to the specific matters identified above. The ten-day period prescribed in 10 CFR § 2.771 for the filing of a Petition for Reconsideration is insufficient. Under the circumstances of this case, a meaningful review to ascertain the staff position as to reconsideration of portions of ALAB-188 can only be accomplished if the time for filing such a petition is extended. Moreover, we submit that this motion for a time extension is consistent with the mandate of ALAB-188 wherein the Appeal Board concluded that there are certain serious deficiencies in the staff's technical positions that "are so fundamental as to require a fresh look at certain of the staff's positions and reconsideration of the portions of the Final Environmental Statement to which they relate." During this requested

60-day period the staff will also undertake to analyze this mandate and to take it into account in determining whether a petition for reconsideration is warranted in this regard. It may be that we will conclude that no petition for reconsideration is warranted, but the staff believes it to be essential that it preserve its right to seek recommendation of the final decision upon the completion of the aforementioned record review.

Accordingly, staff respectfully moves that its time to file a Petition for Reconsideration be extended sixty (60) days.

Respectfully submitted,



Myron Karman  
Counsel for AEC Regulatory Staff

Dated at Bethesda, Maryland  
this 15th day of April, 1974.

UNITED STATES OF AMERICA  
ATOMIC ENERGY COMMISSION

Before the Atomic Safety and Licensing Appeal Board

In the Matter of )  
)  
CONSOLIDATED EDISON COMPANY ) Docket No. 50-247  
OF NEW YORK, INC. )  
)  
(Indian Point Nuclear Generating )  
Station, Unit No. 2) )

CERTIFICATE OF SERVICE

I hereby certify that copies of "MOTION OF AEC REGULATORY STAFF FOR EXTENSION OF TIME TO FILE PETITION FOR RECONSIDERATION," in the above-captioned matter, have been served on the following by deposit in the United States mail, first class or air mail, this 15th day of April, 1974:

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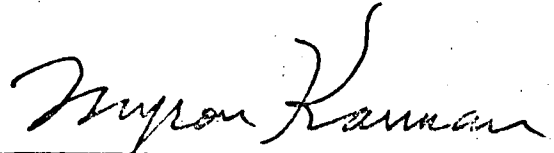
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