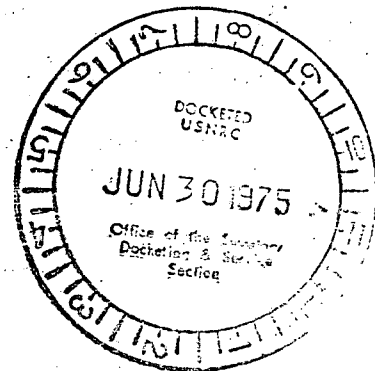


6-25-75

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In the Matter of

CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.
(Indian Point Station,
Unit No. 2)

Docket No. 50-247

MOTION OF HUDSON RIVER FISHERMEN'S ASSOCIATION
FOR AN ORDER DIRECTING CON EDISON TO SERVE
ATTORNEYS FOR HRFA WITH COPIES OF ALL PAPERS
FILED WITH THE COMMISSION IN RELATION TO
INDIAN POINT UNIT NO. 2

The Hudson River Fishermen's Association respectfully requests the Commission to issue an order directing Consolidated Edison to serve copies of all papers filed with the Commission in relation to Indian Point Unit No. 2 on the attorneys for the Hudson River Fishermen's Association.

The action of Consolidated Edison which prompts this request is its egregious conduct in failing to serve HRFA or any other party to the Indian Point Unit No. 2 proceeding with a copy of its recent application to the Commission for an amendment to the Indian Point No. 2 operating license. This application requests a two-year deferral of the deadline set in the license for installation of a closed-cycle cooling system. The NRC received the application on June 5, 1975. Counsel for HRFA received no notification, and no copy of the application until June 20. Moreover, notification came by way of a phone call from NRC Staff

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PDR ADOCK 05000247
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counsel requesting HRFA's attendance at a meeting on June 24 to discuss said application.

Consolidated Edison has acted in bad faith in not serving HRFA and the other parties to this proceeding. To avert further action of this sort, we request that the Commission issue an order to assure proper service in the future.

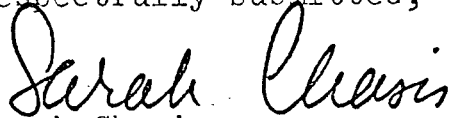
Service of such an application on HRFA is mandatory. First and foremost, HRFA is an intervenor in Docket No. 50-247, pursuant to which Consolidated Edison's application of June 4 was filed. Furthermore, the terms of the license require such service. The Atomic Safety & Licensing Appeals Board conditioned issuance of the operating license for Indian Point Unit No. 2 on the following (See Consolidated Edison Company of New York, Inc. (Indian Point Station, Unit No. 2), ALAB-188, RA1-74-4, 408-409):

In addition to the reporting requirements otherwise imposed by this license, the applicant is directed to file with the Commission and serve on the parties reports, under oath or affirmation, of its analysis of data collected during interim operation which bear on the environmental effects of once-through cooling on the aquatic biota of the Hudson River. Such reports shall be made publicly available. The first such report shall be made as soon as is feasible after the end of the 1974 striped bass spawning season, and thereafter as significant new data become available.

This requirement bespeaks the Board's concern that the progress of the research program, its results and any actions based thereon be routinely disclosed to interested parties until the issue of a permanent cooling system for Indian Point Unit No. 2 is resolved. This concern and the ensuing requirement of notification are applicable here for Consolidated Edison's application for an amendment to the operating license rests on an environmental report based on results of its research program. Consolidated Edison's failure to serve counsel for HRFA and other interested persons was a flagrant violation of one of the essential requirements of the license.

For the foregoing reason and in order to assure no such future failures, HRFA requests that the Commission issue an order directing Consolidated Edison to serve counsel for HRFA with copies of all papers filed with the Commission relating to Indian Point Unit No. 2

Respectfully submitted,


Sarah Chasis
Attorney for Hudson River
Fishermen's Association

Dated: June 25, 1975
New York, New York

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion
of the Hudson River Fishermen's Association was served
upon the following parties by mailing copies of same,
first-class postage prepaid this 24th day of June, 1975:

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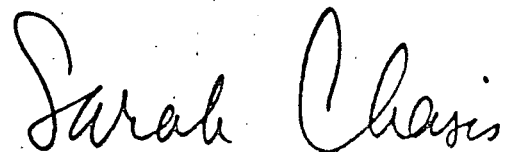
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