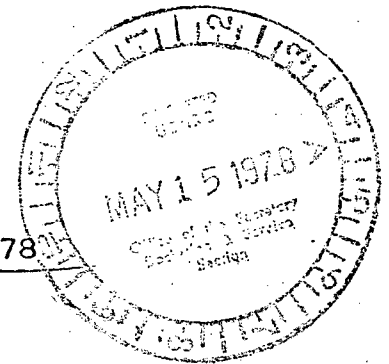


Law Department  
Consolidated Edison Company of New York, Inc.  
4 Irving Place, New York, N Y 10003



May 8, 1978

Mr. Samuel J. Chilk  
Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Indian Point Station, Unit No. 2  
Docket No. 50-247, OL No. DPR-26

Dear Mr. Chilk:

This is in reference to the letter to you dated May 4, 1978 from Stephen H. Lewis, Esq., Counsel for the NRC Staff.

This is to advise you that Con Edison concurs in the views expressed by Mr. Lewis. In view of the action of the Village of Buchanan Zoning Board at its meeting held on April 13, 1978, authorizing the issuance to Con Edison of a variance for construction of the cooling tower, it is no longer necessary for the Commission to decide the issues proposed in its order of August 26, 1977. Con Edison respectfully requests the Commission to grant the motion of the NRC Staff for leave to withdraw its appeal.

Sincerely yours,

Edward J. Sack

EJS:ld

cc: Jerome E. Sharfman, Esq.  
Dr. John H. Buck  
Dr. Lawrence R. Quarles  
Samuel W. Jensch, Esq.  
Dr. Franklin C. Daiber  
Mr. R. Beecher Briggs  
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Honorable George V. Begany  
Jeffrey C. Cohen, Esq.  
Peter H. Schiff, Esq.  
Atomic Safety and Licensing Board Panel  
Atomic Safety and Licensing Appeal  
Board Panel  
Docketing and Service Section

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