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January 28, 1972

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Re: Consolidated Edison Company  
of New York, Inc.  
Indian Point Unit No. 2  
AEC Docket No. 50-247

Gentlemen:

We enclose a copy of "Applicant's Proposed Findings of Fact and Conclusions of Law in the Form of a Proposed Initial Decision with Respect to Motion for 50 percent Testing License - Part I," dated January 28, 1972. The original and twenty (20) copies of this document, together with twenty-one (21) copies of this letter, will be filed with the Commission today.

The enclosed document deals only with the issues specified in 10 CFR 50.57(a), which must be decided by the Board in connection with Applicant's motion for a testing license. Applicant will, not later than February 8, 1972, supplement this document with proposed findings of fact and conclusions of law dealing with those matters which must be decided pursuant to 10 CFR 50, Appendix D, Section D.2.

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It is Applicant's position that the Board should in its Initial Decision address itself to the issues specified in 10 CFR 50.57(a) with respect to testing at up to 50% of full power.

The enclosure refers in a number of places to the proposed Technical Specifications for the facility (Supplement No. 1 to Staff Exhibit No. 1). When the Staff submits its proposed Technical Specifications for the testing activities, in accordance with the Staff's letter of December 30, 1971, the references will be amended so as to relate to the latest Staff submission.

Very truly yours,

LeBOEUF, LAMB, LEIBY & MacRAE  
Attorneys for Applicant

By

Leonard M. Trosten  
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Enclosure

cc: Myron Karman, Esq.  
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Honorable Louis J. Lefkowitz