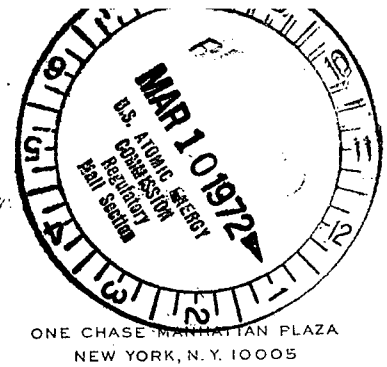


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March 10, 1972



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Oak Ridge, Tennessee 37830

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

Gentlemen:

There is enclosed a copy of "Applicant's Reply to Proposed Findings of Fact and Conclusions of Law Submitted by Citizens Committee for the Protection of the Environment," dated March 10, 1972, which includes a supporting Memorandum of Law.

CCPE has asserted in Section IV.A. of its February 8, 1972 "Memorandum of Law in Support of Proposed Findings of Fact and Conclusions of Law" that the requirements of the National Environmental Policy Act of 1969 have not been met with respect to the issuance of a 50% testing license. Although Applicant is addressing its reply to the Board, it is Applicant's position as expressed in our letter of February 8, 1972 that, with respect to those matters which must be decided pursuant to

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10 CFR 50 Appendix D, the Board should certify the record of the proceeding directly to the Commission for its determination, without ruling thereon. Applicant disagrees with CCPE's above-referenced position (see Section II.C. of the enclosed reply) and considers that this disagreement provides an additional reason why prompt certification of the record is called for.

In order to avoid disclosure of information relating to the security system for Indian Point 2, Applicant is deleting from the copies served on counsel for parties other than the Regulatory Staff and CCPE, and from the copies placed in the public document room, Applicant's response to CCPE's proposed finding 15. Applicant's response to this finding is included in copies served on the members of the Board.

Very truly yours,

LEBOEUF, LAMB, LEIBY & MACRAE
Attorneys for Applicant

By Leonard M. Trosten
Leonard M. Trosten
Partner

Enclosure

13-3⁵