LAW OFFICES OF LEBOEUF, LAMB, LEIBY & MACRAE 1757 N STREET, N.W. WASHINGTON, D. C. 20036 TELEPHONE 202 457-7500 CAMERON F. MACRAE :
CAMERON F. MACRAE, III +
GERARD A. MAHER
SHEILA H. MARSHALL
JAMES G. MCELROY
JAMES P. MCGRANERY, JR.\* +
PHILIP PALMER MCGUIGAN
L. MANNING MUNTZING\* +
JAMES O'MALLEY, JR.\* +
J. MICHAEL PARISH
JOHN A. RUDY
PAUL G. RUSSELL
HAROLD M. SEIDEL
CHARLES P. SIFTON
HALCYON G. SKINNER
JOSEPH S. STRAUSS
SAMUEL M. SUGDEN
EUGENE B. THOMAS, JR.\* +
LEONARD M. TROSTEN \* +
HARRY H. VOIGT \* +
H. RICHARD WACHTEL
GERARD P. WATSON LEON A. ALLEN, JR.
JOSEPH E. BACHELDER, III
ERNEST S. BALLARD, JR.
G. S. PETER BERGEN \*
GEOFFRY D. C. BEST
DAVID P. BICKS
TAYLOR R. BRIGGS
CHARLES N. BURKE
WILLIAM O. DOUB\*\*
EUGENE R. FIDELL\*\*
JACOB FRIEDLANDER
DONALD J. GREENE
JAMES A. GREER, II \*
JOHN L. GROSE\*
DOUGLAS W. HAWES
CARL D. HOBELMAN
MICHAEL IOVENKO
JAMES F. JOHNSON, 4TH
RONALD D. JONES
LEX K. LARSON\*\*
GRANT S. LEWIS CABLE ADDRESS RANDALL J. LEBOEUF, JR. 1929-1975 LEBWIN, WASHINGTON, D. C. ADRIAN C. LEIBY 1952-1976 TELEX: 440274 OF COUNSEL ARVIN E. UPTON 140 BROADWAY NEW YORK, N.Y. 10005 TELEPHONE 212 269-1100 CABLE ADDRESS May 10, 1977 LEBWIN, NEW YORK GERARD P. WATSON TELEX: 423416 \*RESIDENT PARTNERS WASHINGTON OFFICE REGILATORY DONET FILE COPY Director of Nuclear Reactor Regulation Attn: Mr. George W. Knighton, Chief Environmental Projects Branch No. 1 Division of Site Safety and Environmental Analysis U.S. Nuclear Regulatory Commission Washington, D.C. 20555 Indian Point Station, Units 2 and 3 Docket Nos. 50-247 and 50-286 Dear Mr. Knighton: In accordance with Paragraph 2.E(4) of Facility Operating License No. DPR-25 and Paragraph 2.E(1)(f) of Facility Operating License No. DPR-64, we hereby submit an affidavit executed on May 6, 1977 by Mr. John R. Jannarone, a Vice President of Consolidated Edison Company of New York, Inc., and six (6) copies of the report entitled "Hudson River Ecosystem Studies -- Effects of Entrainment by the Indian Point Power Plant on Biota in the Hudson River Estuary, Progress Report for 1975" dated April 1977. By copy hereof, two copies of the report and the original and twenty (20) copies of Mr. Jannarone's affidavit are being filed with the Secretary of the Commission. certificate of service is enclosed. Very truly yours, La Bourf, Jamb, Leiby & MacRae Enclosures cc: See page 2. 8111140630 770510 111320254 PDR ADOCK 05000247

cc (w/encl.): Samuel W. Jensch, Esq.
Mr. R. Beecher Briggs
Dr. Franklin C. Daiber
Dr. Richard Rush (3)
Stephen H. Lewis, Esq.
Richard C. King, Esq.
Paul S. Shemin, Esq.
Sarah Chasis, Esq.
Nicholas A. Robinson, Esq.
Carl R. D'Alvia, Esq.
Hon. George V. Begany
Atomic Safety and Licensing
Appeal Panel

Secretary, USNRC (2)

## BEFORE THE UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. (Indian Point Station, Unit No. 2)	) Docket No. 50-2 )	47
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and	) ) , ;	
POWER AUTHORITY OF THE STATE OF NEW YORK (Indian Point Station Unit No. 3)	) Docket No. 50-2 )	86

## CERTIFICATE OF SERVICE

I hereby certify that I have this 10th day of May, 1977, served the foregoing affidavit of John R. Jannarone dated May 6, 1977, and the report entitled "Hudson River Ecosystem Studies -- Effects of Entrainment by the Indian Point Power Plant on Biota in the Hudson River Estuary, Progress Report for 1975" dated April 1977, by mailing copies thereof, first class postage prepaid and properly addressed, to the following persons:

Samuel W. Jensch, Esq.
Chairman
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Richard Rush
Team Leader
Oak Ridge National Laboratory
P. O. Box X
Oak Ridge, Tennessee 37830

Mr. R. Beecher Briggs 110 Evans Lane Oak Ridge, Tennessee 37830

Dr. Franklin C. Daiber College of Marine Studies University of Delaware Newark, Delaware 19711

Nicholas A. Robinson, Esq. Marshall, Bratter, Greene, Allison & Tucker 430 Park Avenue New York, New York 10022 Stephen H. Lewis, Esq.
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Richard C. King, Esq. New York State Energy Office Swan Street Building Empire State Plaza Albany, New York 12223

Paul S. Shemin, Esq.
Assistant Attorney General
of the State of New York
Two World Trade Center
New York, New York 10047

Sarah Chasis, Esq.
Natural Resources Defense
Council, Inc.
15 West 44th Street
New York, New York 10036

Carl R. D'Alvia, Esq.
D'Alvia & D'Alvia
395 S. Riverside Avenue
Croton-on-the-Hudson, New York
10520

Hon. George V. Begany Mayor, Village of Buchanan Village of Buchanan Municipal Building Buchanan, New York 10511

Atomic Safety and Licensing Appeal Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555

Mr. Samuel J. Chilk
Secretary of the Commission
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
Attn: Chief, Docketing and
Service Section

M. Reamy Incarrow

## NUCLEAR REGULATORY COMMISSION

In the Matter of	)
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.	) Docket No. 50-247
(Indian Point Station	)
Unit No. 2)	)
•	)
CONSOLIDATED EDISON COMPANY	)
OF NEW YORK, INC. and	)
POWER AUTHORITY OF THE	) Docket No. 50-286
STATE OF NEW YORK	
(Indian Point Station	)
Unit No. 3)	)
STATE OF NEW YORK )	
) ss:	
COUNTY OF NEW YORK )	•

## AFFIDAVIT OF JOHN R. JANNARONE

John R. Jannarone, being duly sworn, states: That he is Vice President for Environmental Affairs of Consolidated Edison Company of New York, Inc.; that he is familiar with the contents of the following document entitled:

Effects of Entrainment by the Indian Point Power Plant on Biota in the Hudson River Estuary
Progress Report for 1975
(dated April 1977)

which was prepared for Consolidated Edison Company of New York, Inc. by New York University, and that the same is true to the best of his knowledge and belief.

John R. Fannarone

Sworn to before me this

il B. Welson

NOTARY PUBLIC, State of New York
No. 03-4515302 Qualified in Bronx Co.
Certificate filed in New York County
Commission Expires March 30, 1979