

BEFORE THE UNITED STATES
ATOMIC ENERGY COMMISSION

2-1-73

In the Matter of)
)
CONSOLIDATED EDISON COMPANY) Docket No. 50-286
OF NEW YORK, INC.)
)
(Indian Point Unit No. 3))

APPLICANT'S ANSWER TO HRFA AND SOS
REQUEST FOR EXTENSION OF TIME AND
FOR LEAVE TO FILE CONSOLIDATED REPLY

On January 29, 1973 Hudson River Fishermen's Association and Save Our Stripers ("Movants") submitted a request for leave to file a consolidated reply to Applicant's and Regulatory Staff's answers to the January 2, 1973 Motion to Consolidate dockets 50-247 and 50-286. The request was also styled as a request for an extension of time.

In submitting this request, Movants appear to assume what the Commission's Rules of Practice explicitly deny: viz. that there is a right to reply to answers to motions. 10 C.F.R. § 2.730(c). Movants have already had two opportunities to state their position in support of consolidation, as they filed one memorandum with their original motion, and yet another "Supplemental Memorandum" fully three weeks later, after Applicant had submitted its answer to the initial pleading of January 2, 1973.

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Under these circumstances, good cause does not exist for the Commission to allow the filing of a reply by Movants. To do so would only have the effect, in Movants' own words, of "burdening the Commission with unnecessary papers."

WHEREFORE, Applicant prays that the Request for Extension of Time and for Leave to File Consolidated Reply be denied.

Respectfully submitted,

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Of Counsel.

February 1, 1973

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CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of February, 1973, served copies of the foregoing document entitled "Applicant's Answer to HRFA and SOS Request for Extension of Time and for Leave to File Consolidated Reply" by mailing copies thereof first class, postage prepaid and properly addressed to the following persons:

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