

# Natural Resources Defense Council, Inc.

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March 29, 1974

Chairman, Atomic Safety & Licensing Appeal Board;  
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Chairman, Atomic Safety & Licensing Board;  
Atomic Safety & Licensing Board Members;  
Counsel for all Parties;  
Hon. George Segnit

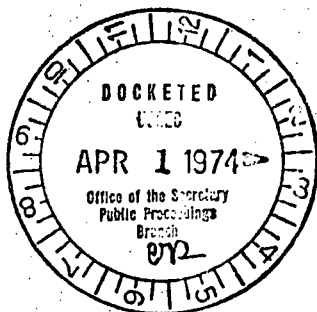
In re: Consolidated Edison Company  
Of New York, Inc.  
(Indian Point Unit No. 3)  
AEC Docket 50-286

Gentlemen:

The following telegram was sent this day to  
Dixie Lee Ray, Chairman, Atomic Energy Commission  
with copies to Atomic Energy Commission Commissioners  
Clarence E. Larson, William O. Doub, William E.  
Kriegsman, William Anders and the Secretary of the  
Atomic Energy Commission:

Dixie Lee Ray, Chairman  
Atomic Energy Commission  
Washington, DC

In re: Consolidated Edison Company  
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Attorneys for Intervenor Hudson River Fishermen's  
Association and Save Our Stripers yesterday received  
the Memorandum and Order of the Appeal Board in this  
proceeding dated March 26, 1974, ALAB-186. Intervenor  
request ten days from the receipt of the memorandum and  
order to brief the question certified by the Appeal Board

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to the Commission.

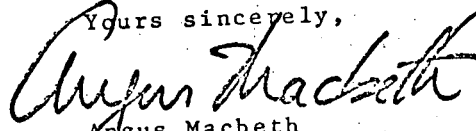
The issue raised by the certification was first presented to the Atomic Safety and Licensing Board in papers filed by Applicant on March 7, 1974. By letter dated February 7, 1974, the ASLB provided the other parties with 20 days after receipt of Applicant's papers in which to respond to Applicant's position. On March 13, 1975, attorneys for HRFA and SOS wrote the ASLB stating that they intended to file a response. On March 20, 1974, before the expiration of the 20 day period and before the receipt of responses from either the Intervenor or the Staff, the ASLB certified the central issue to the Appeal Board. On March 26, 1974, before the receipt of any papers from the Intervenor or the Staff and still before the expiration of the 20 day period, the Appeal Board certified what it perceived to be the major issue of policy to the Commission.

The issue presented to the Commission is a new and important one and in light of the fact that it has been addressed three times in differing ways by the Applicant, the ASLB and the Appeal Board, Intervenor request ten days in order to have at least one opportunity to address the questions presented.

Respectfully submitted,

Angus Macbeth  
Attorney for Hudson River  
Fishermen's Association and  
Save Our Stripers

Yours sincerely,

  
Angus Macbeth

AM/sp