

UNITED STATES OF AMERICA

ATOMIC ENERGY COMMISSION

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

STIPULATION CONCERNING SPECIAL  
PREHEARING CONFERENCE ORDER

IT IS HEREBY STIPULATED by and among the attorneys for Consolidated Edison Company of New York, Inc. ("Applicant"), the Regulatory Staff, Hudson River Fishermen's Association, Inc., Save Our Stripers, Inc., and the State of New York ("Intervenors"), pursuant to the request of the Atomic Safety and Licensing Board ("the Board") (Tr. 128-29), that the Board may enter an Order in this proceeding including the provisions of the attached proposed Supplemental Special Prehearing Conference Order.

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December , 1973

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SUPPLEMENTAL SPECIAL PREHEARING CONFERENCE ORDER

Pursuant to the stipulation of the parties, as requested by the Atomic Safety and Licensing Board, the following shall constitute the order reflecting action taken at the further special prehearing conference.

On November 27, 1973, the Atomic Safety and Licensing Board designated to conduct a hearing in the above entitled proceeding convened for a further special prehearing conference in accordance with the Rules of Practice of the Atomic Energy Commission, 10 C.F.R. § 2.751a (1973). At the conference, held at Croton-on-Hudson, New York, counsel for all parties appeared and were heard on various procedural matters currently before the Board.

As a result of this further special prehearing conference, the Board directs that its prior Special Prehearing Conference Order dated August 17, 1973, shall continue in effect subject to the following changes:

1. A prehearing conference will be held on April 24, 1974, at Croton-on-Hudson, New York. The hearing shall commence on April 25, 1974, at Croton-on-Hudson solely for the purpose of receiving any statements by way of limited appearance pursuant to 10 C.F.R. § 2.715 (1973). The Board will then reconvene on May 14, 1974, for the conduct of the evidentiary hearing.

2. The parties shall exchange interrogatories or requests for documents until December 31, 1973, with responses to be furnished by February 15, 1974.

3. Following the transmittal of any research report referred to in Paragraph 7 of the Board's August 17, 1973 Order, Applicant will, upon request by any other party, make available to such party any back-up data relied upon or analyzed in preparation for such research report not already set forth in the report.

4. The parties shall continue their efforts to reach agreement on the incorporation in the record of this proceeding of any relevant and material portions of the

environmental record in Docket No. 50-247. The parties shall also confer on the possibility of developing a stipulation which would avoid the need for an evidentiary hearing on Intervenors' "interim-need-for-power" issue.

WHEREFORE, IT IS ORDERED, in accordance with the Atomic Energy Act, as amended, and the Rules of Practice of the Commission, that the foregoing shall constitute the Special Prehearing Conference Order for the session held on November 27, 1973.

ATOMIC SAFETY AND LICENSING BOARD

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By Samuel W. Jensch, Chairman

Issued:  
December , 1973  
Germantown, Maryland