

BEFORE THE UNITED STATES
ATOMIC ENERGY COMMISSION

In the Matter of)
)
CONSOLIDATED EDISON COMPANY)
OF NEW YORK, INC.) Docket No. 50-286

(Indian Point Station, Unit No. 3)

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

RICHARD G. BERGER, being duly sworn, deposes and
says:

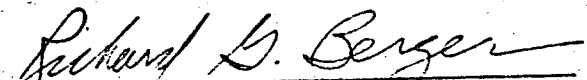
I am a Law Apprentice in the office of Louis J.
Lefkowitz, Attorney General of the State of New York, attorney
for the intervenor. I make this affidavit in opposition to
the Applicant's motion to strike the interrogatories of the
Attorney General in this proceeding.

On January 2, 1974, I contacted Mr. Edward Sack,
counsel for Applicant, by telephone at his office. I had
previously attempted to contact him, unsuccessfully, on
December 28, 1973. I explained to Mr. Sack that the
Governor of New York, Malcolm Wilson, had declared successive

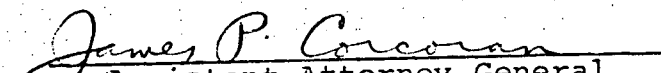
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four-day holiday weekends for Christmas and New Year's and that because of the unavailability of our clerical staff during that time, the Attorney General would be late in filing his interrogatories. Mr. Sack raised no objection at that time and agreed to accept the interrogatories despite their being late.

WHEREFORE, the deponent asks that the motion of the applicant be denied.


RICHARD G. BERGER

Sworn to before me this
5th day of February, 1974


Assistant Attorney General
of the State of New York

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New York, Inc.)
[Indian Point Station,)
Unit No. 3])

CERTIFICATE OF SERVICE

I hereby certify that I have served document entitled "Answer" by mailing copies thereof first class and postage prepaid to each of the following persons this 5th day of February, 1974:

Atomic Safety and Licensing
Board Panel
U.S. Atomic Energy Commission
Washington, D.C. 20545

Samuel W. Jensch, Esq.
Atomic Safety and Licensing
Board Panel
U.S. Atomic Energy Commission
Washington, D.C. 20545

Atomic Safety and Licensing
Appeal Board
U.S. Atomic Energy Commission
Washington, D.C. 20545

Dr. John C. Geyer, Chairman
Department of Geography and
Environmental Engineering
The Johns Hopkins University
Baltimore, Maryland 21218

Mr. R. B. Briggs, Director
Molten-Salt Reactor Program
Oak Ridge National Laboratory
Post Office Box Y
Oak Ridge, Tennessee 37830

Myron Karman, Esq.
Counsel for AEC Regulatory Staff
U.S. Atomic Energy Commission
Washington, D.C. 20545

Edward J. Sack, Esq.
Joel M. Lasker, Esq.
Joyce P. Davis
Law Department
Consolidated Edison Company
of New York, Inc.
4 Irving Place
New York, New York 10003

Angus MacBeth
Sarah Chasis
Natural Resources Defense Council
15 West 44th Street
New York, New York 10036

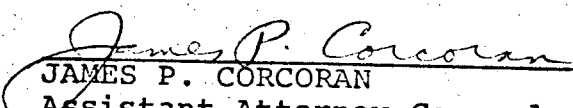
Frank W. Karas
Chief, Public Proceedings Staff
Office of Secretary of Commissioner
Atomic Energy Commission
Washington, D.C. 20545

J. Bruce MacDonald, Esq.
Deputy Commissioner and Counsel
New York State Department of Commerce
99 Washington Avenue
Albany, New York 11210

Nicholas A. Robinson, Esq.
Marshall, Bratter, Greene,
Allison and Tucker
430 Park Avenue
New York, New York 10022

Harry H. Voigt, Esq.
LeBoeuf, Lamb, Leiby and MacRae
1757 N Street, N.W.
Washington, D.C. 20036

Honorable George Segnit
Mayor, Village of Buchanan
Buchanan, New York 10511


JAMES P. CORCORAN
Assistant Attorney General