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RELATED CORRESPONDENCE

November 18, 1975

TO: All Parties

Re: Hudson River Fishermen's
Association v. Nuclear Regulatory
Commission, No. 75-4212

This letter is to set forth petitioners' understanding of the oral rulings rendered by the United States Court of Appeals for the Second Circuit, November 18, 1975, on NRC's motion to dismiss the petition for review, or, alternatively, hold the petition in abeyance pending decision by the Commission and on petitioners' cross-motion for a stay of the decision pending decision by the Commission. The ruling is as follows:

Based on the representation of counsel for the NRC that no license would issue except on five days actual notice to all parties and petitioners in particular, and on Con Edison's and the NRC's representations that they would forego all procedural objections before the NRC on petitioners' motion for a stay, the Court ordered the following: (1) the appeal is to be held in abeyance pending decision by the Commission; (2) petitioners shall move within five days for a stay before the Commission, which motion neither Con Edison nor the NRC General Counsel will oppose on technical or procedural grounds, as, for example that the motion is too late; and (3) in all other respects the motions are denied.

Very truly yours,

Sarah Chasis

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