

BEFORE THE UNITED STATES
NUCLEAR REGULATORY COMMISSION

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| In the Matter of |) | |
| |) | |
| CONSOLIDATED EDISON COMPANY |) | Docket No. 50-286 |
| OF NEW YORK, INC. and |) | OL No. DPR-64 |
| POWER AUTHORITY OF THE |) | Determination of Preferred |
| STATE OF NEW YORK |) | Alternative Closed-Cycle |
| (Indian Point Station, |) | Cooling System |
| Unit No. 3) |) | |

LICENSEES' ANSWER TO NOTICE OF
HEARING RESPECTING PROPOSED
AMENDMENT TO OPERATING LICENSE

Pursuant to Section 2.705 of the Rules of Practice of the U.S. Nuclear Regulatory Commission ("the Commission"), 10 C.F.R. § 2.705 (1976), Consolidated Edison Company of New York, Inc. ("Con Edison") and Power Authority of the State of New York (collectively "Licensees"), as holders of Facility Operating License No. DPR-64, file this Answer to the Commission's "Notice of Hearing Respecting Proposed Amendment to Operating License" published in the Federal Register on October 21, 1976 (41 Fed. Reg. 46522) and state as follows:

1. The "Application for Amendment to Operating License" filed on January 30, 1976, and the Report filed with that Application entitled "Economic and Environmental Impacts of Alternative Closed-Cycle Cooling Systems for Indian Point Unit No. 3," present information which requires a determination by the Commission that a natural draft wet cooling tower system is the preferred alternative closed-cycle cooling system for installation at Indian Point Unit No. 3.

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2. At any hearing held in this matter, Licensees will urge that the relief requested in the "Application for Amendment to Operating License" filed on January 30, 1976 be granted. When the Atomic Safety and Licensing Board has determined the specific issues to be considered at the hearing, Licensees will respond with respect to those items of the specification of issues they controvert and those they do not controvert.

3. Licensees will appear at any and all prehearing conferences at the times and places to be specified by the Commission by notice published in the Federal Register. Licensees will also appear and present evidence at any and all hearings which may be held by the Atomic Safety and Licensing Board in this matter.

4. Pursuant to Section 2.708(d) of the Commission's Rules of Practice and the Notice of Hearing, an original and twenty (20) conformed copies of this Answer are hereby filed with the Commission.

Respectfully submitted,

LeBOEUF, LAMB, LEIBY & MacRAE

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Dated: November 10, 1976