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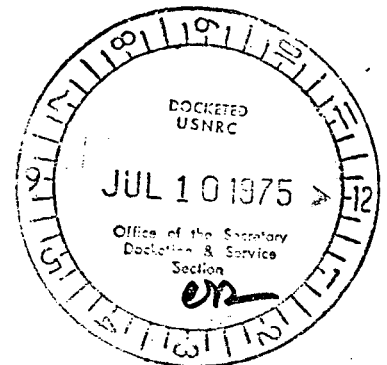
LOUIS J. LEFKOWITZ
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July 8, 1975

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Re: Consolidated Edison Company of
New York, Inc. (Indian Point
Station, Unit No. 3, Docket
No. 50-286)

Gentlemen:

With reference to the question posed in ALMB-278 as to whether the proposed stipulation precludes an opportunity for a hearing at the behest of any existing party or other person, relative to the cost-benefit balance of a once-through cooling system compared to a closed-cycle cooling system, the Attorney General of the State of New York concurs in the position of NREB and SCS that the stipulation does not contemplate any such hearing as part of the instant licensing proceeding.

Under the stipulation, Con Edison may apply to the Commission in the future for a license amendment permitting once-through cooling, pursuant to the guidelines prescribed

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To: John B. Farmakides, Esq.
Dr. John Buck
Dr. John R. Quarles
Re: Consolidated Edison Company
(Indian Point 3)

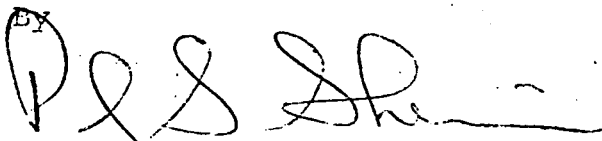
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by paragraph 2 of the stipulation. Should the Appeal Board find that a hearing is necessary in this proceeding on the relative merits of closed-cycle and once-through cooling systems, or incorporate opportunity for such a hearing outside the restraints of the stipulation, the stipulation itself must fall.

Very truly yours,

LOUIS J. LEFKOWITZ
Attorney General

BY


PSS:rab

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cc: Max D. Paglin, Esq.
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Atomic Safety and Licensing Appeal Panel
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