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APR 17 1975

SAMUEL W JENSCH ESQ
CHAIRMAN ATOMIC SAFETY AND LICENSING BOARD
NUCLEAR REGULATORY COMMISSION
LANDOW BUILDING
7910 WOODMONT AVENUE
BETHESDA MD 20014



RE: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC
(INDIAN POINT STATION, UNIT 3)
DOCKET NO 50-286

WE ARE ADVISED THAT THE NEW YORK STATE ATOMIC ENRGY COUNCIL HAS SENT YOU A TELEGRAM WITHDRAWING ITS OBJECTION TO THE REGULATORY STAFFS SEISMIC ANALYSIS, UNDER THE AEC DECISION OF JULY 16, 1974, IN THIS DOCKET, NRC RULE 2.670A, AND THE FT CALHOUN ASLB ORDERS OF JANUARY 24 AND FEBRUARY 6, 1973 IN DOCKET NO. 50-285, WE DO NOT BELIEVE THE STATE CAN THUS REMOVE THE ISSUE FROM THE JURISDICTION OF THIS ASLB. APPLICANT REQUESTS THAT THE BOARD ORDER THE STATE FORTHWITH TO SERVE ITS DIRECT TESTIMONY ON THE ISSUE AND GO FORWARD WITH CROSS-EXAMINATION ON MAY 6 AT MONTROSE, NEW YORK, IF THE STATE IS UNABLE OR UNWILLING TO OFFER A DIRECT CASE, THE BOARD SHOULD DECIDE THE ISSUE ON THE MERITS BASED ON THE RECORD BEFORE IT. COPY OF THIS TELEGRAM IS BEING SERVED ON THE OTHER PARTIES AND THE SECRETARY PER NRC RULES 2.708 AND 2.712.
HARRY H VOIGT ATTORNEY FOR APPLICANT

17:05 EST

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