

June 13, 1973

Leo W. Forquer, Esq.
General Counsel
Federal Power Commission
441 G Street, N. W.
Washington, D. C. 20426

In the Matter of Niagara Mohawk Power Corporation
(Nine Mile Point Nuclear Station, Unit 2)
Docket No. 50-410

Dear Mr. Forquer:

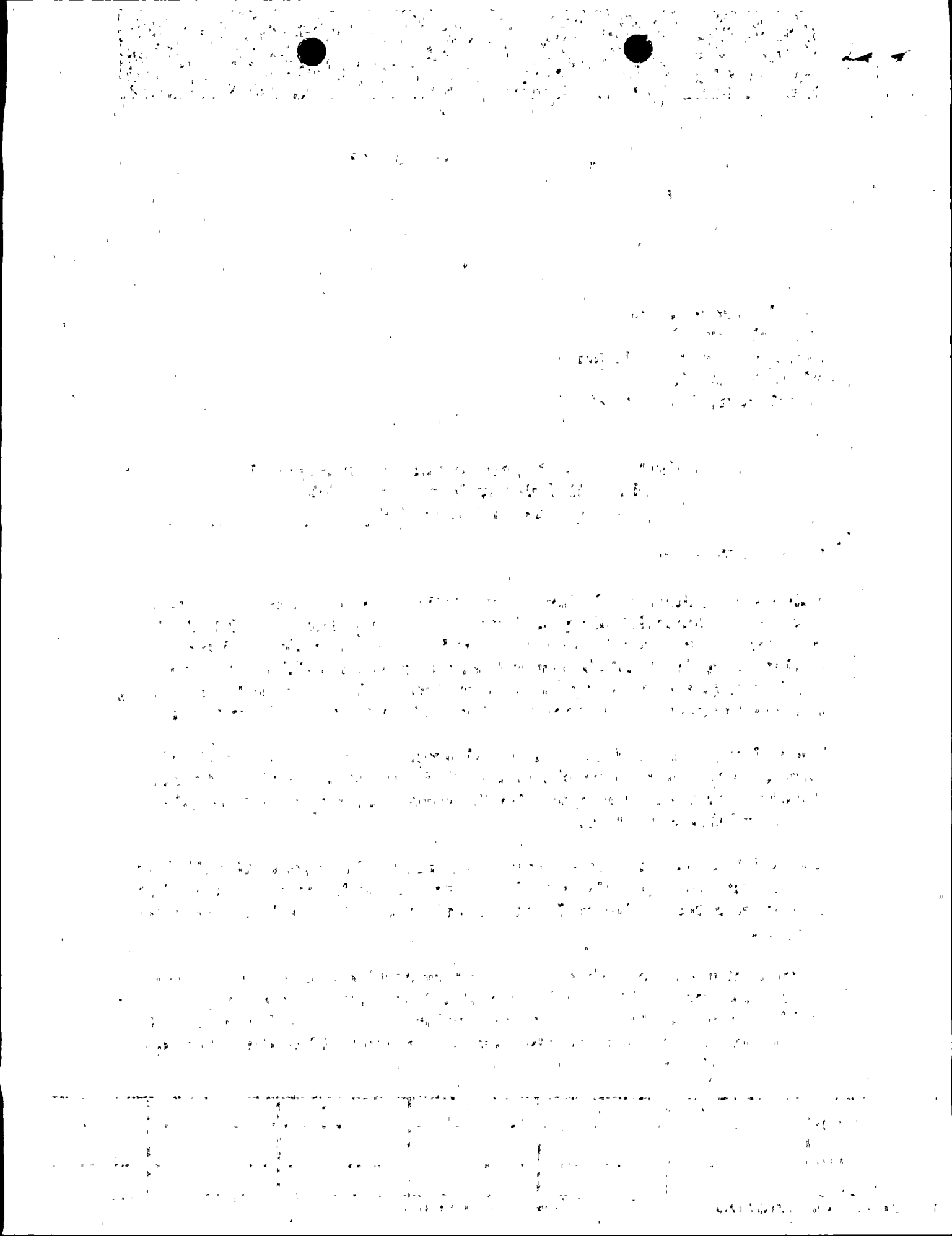
This letter confirms a telephone conversation on June 12, 1973, between Bernard M. Bordenick of my staff and James Tourtellotte related to the need for one or more witnesses from the Federal Power Commission to testify before the Atomic Safety and Licensing Board (ASLB) in the evidentiary hearing for the Nine Mile Point Nuclear Station, Unit 2, concerning the need for power of the applicant Niagara Mohawk Power Corporation.

The utility has applied for a construction permit for a nuclear facility to be located on the south shore of Lake Ontario in the town of Scriba, Oswego County, New York. The application is opposed by joint intervenors Suzanne Weber and Ecology Action.

The ASLB has accepted as an issue in the proceeding a contention filed by intervenors relating to the need for power. Accordingly, we request the assistance of the staff of the FPC to provide information to the Board on the subject.

We presently anticipate that the evidentiary hearing will commence on or about September 4, 1973, in Oswego, New York. An exact hearing date will be set by the ASLB at a final prehearing conference which we expect will be held in late July or early August. Our staff will no doubt be required

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to file written testimony and statements of professional qualifications approximately two weeks before commencement of the hearing. In order to meet such a requirement, it is important to have the testimony of FPC personnel in final form before August 1, 1973.

Enclosed are copies of the AEC Final Environmental Statement for the facility in question and intervenors' pertinent contention which may be useful to the FPC staff. Questions concerning this case may be referred directly to Mr. Bordenick (IDS Code 119 (or 973-commercial) 7268).

Sincerely,

Original Signed by Thomas F. Engelhardt

Thomas F. Engelhardt
Chief Hearing Counsel
Office of the General Counsel

Enclosures:
Final Environmental Statement
Intervenors' Contention

cc w/enclosure:
James Tourtellotte, Esq.

bcc: Jan A. Norris
EP Branch #4

Distribution:
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DATE ▶	6/12/73				

Original Signed by Thomas F. Swanson

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EP Branch 11

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INTERVENORS' CONTENTION ON NEED FOR POWER
(SUMMARIZED FROM INTERVENOR'S
PETITION TO INTERVENE, AS AMENDED)

There is not sufficient evidence of the need for power from the proposed facility. Data in the applicant's Environmental Report does not include reference to Oswego Steam Station #6, plans for which have previously been announced by applicant. Applicant's calculations of need are based on inaccurate assumptions and projections of load growth and upon improper calculations of reserve margins. Inadequate consideration is given by applicant to obtaining power from available interconnections with other suppliers and other systems.

There is not sufficient need for power which applicant projects to be produced at NMP2 beginning in 1978 for the following reasons:

Applicant's calculation of demand is based on erroneous assumptions of load growth due to a growth in population, due to growth and per capita use, and high volume, that is industrial use.

The applicant's calculation of need based on reserve margin criteria described by the Northeast Power Coordinating Council are too conservative, and that that criteria and particularly the criterion that reserve margins of on-hand base-load generating capacity of 20% is an arbitrary criterion since it ignores the applicant's load factor.

Even according to the above assumptions there is no need for power from NMP2 until the winter of 1979 and applicant's own calculations, in the Environmental Report, demonstrates that.

(Note-- Intervenor's contention was cast prior to preparation of AEC Draft and Final Environmental Statements - Further amendment of the contention is possible as a result of staff's FES which was released on June 8, 1973)

