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FROM: Syracuse University Syracuse, N. Y. 13210 Richard I. Goldsmith			DATE OF DOC 5-22-74	DATE REC'D 5-29-74	LTR X	MEMO	RPT	OTHER
TO: Mr. Giambusso			ORIG 1 signed	CC	OTHER	SENT AEC PDR X SENT LOCAL PDR X		
CLASS	UNCLASS	PROP INFO	INPUT	NO CYS REC'D		DOCKET NO:		
	XXX			1		50-410		

DESCRIPTION:
Ltr re our 5-7-74 ltr.....furnishing info regarding Niagara Mohawk's request for exemption to thh Const Permit.....

ENCLOSURES:

ACKNOWLEDGED

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DIST PER H. GEARIN

PLANT NAME: Nine Mile Point Unit # 2

FOR ACTION/INFORMATION

6-6-74

AB

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INTERNAL DISTRIBUTION

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✓ 1 - LOCAL PDR <u>Oswego, N. Y.</u>	(1)(2)(10)-NATIONAL LAB'S	1-PDR-SAN/LA/NY
1 - TIC (ABERNATHY)	1-ASLBP(E/W Bldg, Rm 529)	1-GERALD LELLOUCHE
1 - NSIC(BUCHANAN)	1-W. PENNINGTON, Rm E-201 GT	BROOKHAVEN NAT. LAB
1 - ASLB	1-CONSULTANT'S	1-AGMED(Ruth Gussman)
1 - P. R. DAVIS (AEROJET NUCLEAR)	NEWMARK/BLUME/AGBABIAN	RM-B-127, GT.
16 - CYS ACRS HOLDING	1-GERALD ULRIKSON...ORNL	1-RD..MULLER..F-309 GT
	1-B & M SWINEBROAD, Rm E-201 GT	

LB



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COLLEGE OF LAW
SYRACUSE UNIVERSITY



May 22, 1974

Mr. A. Giambusso
Deputy Director for Reactor Projects
Directorate of Licensing
U. S. Atomic Energy Commission
Washington, D.C. 20545

Re: Niagara Mohawk Power Corp. (Nine Mile Point, Unit 2) -- Docket No. 50-410

Dear Mr. Giambusso:

I write with respect to your letter of May 7, 1974 to Phillip D. Raymond, Niagara Mohawk's Vice President, a copy of which I received on May 14th. In that letter you express the conclusion that the processing at this time of Niagara Mohawk's request for an exemption "would not gain any significant time for construction of the plant... since it now appears that the Atomic Safety and Licensing Board (Board) will issue its initial decision before the end of May 1974 and as a consequence would permit a construction permit to be issued for NMP-2...."

Since on May 7th the parties had not yet submitted additional proposed findings on the contested need for power issue which was the subject of the reopened hearings on May 2 and May 3, I would like to know how you reached the conclusion that an initial decision would be produced "before the end of May 1974". I would also like to know the basis for your statement that this initial decision "would permit a construction permit to be issued for NMP-2".

Very truly yours,

Richard I. Goldsmith
Attorney for Intervenors
Ecology Action and Suzanne
Weber

RIG/cmt



