EXEMPTIONS

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EXEMPTIONS

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TO:	ORIG	CC	OTHER	
Mr. Muntzing	1 signed			SENT AEC PDR X SENT LOCAL PDR X

CLASS	UNCLASS	PROP INFO	INPUT	NO CYS REC'D	DOCKET NO:
	XXXXX			1	50-410

DESCRIPTION:
Ltr submitted on behalf of the Niagara Mohawk Power Corporation.....re their 12-5-73 request for exemption pursuant to Sections 50.10 & 50-12, requesting that their 12-5-73 request for exemption be renewed.....

ENCLOSURES:

EXEMPTIONS

EXEMPTIONS

PLANT NAME: Nine Mile Point Unit # 2

FOR ACTION/INFORMATION 4-27-74 AB

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Regulatory File Cy.

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LALALU, WASHINGTON D.C.

April 25, 1974

Mr. L. Manning Muntzing
Director of Regulation
U. S. Atomic Energy Commission
Washington, D. C. 20545

Re: Niagara Mohawk Power Corporation
AEC Docket No. 50-410

Dear Mr. Muntzing:

On December 5, 1973, Niagara Mohawk filed a request for an exemption pursuant to Sections 50.10 and 50.12 of the Commission's regulations. After reviewing the request the Regulatory Staff advised us in January that no action would be taken upon the exemption request, since the hearings were then thought to be near a conclusion. However, we were also told that if there should be some delay in the issuance of the construction permit the Staff would reconsider the exemption request.

The hearings indeed concluded, and the record was closed, on January 23, 1974. Proposed findings of fact and conclusions of law were filed by all parties, and our expectation was that a construction permit could be issued by late March or early April.

This afternoon we were informed by Mr. Head, Chairman of the Atomic Safety and Licensing Board assigned to this proceeding, that there will be a reopening of the record and a further hearing session on one facet of the energy conservation issue. You will recall that this issue,

originally excluded, was reinstated by virtue of the Commission's Order of November 6, 1973.

The forthcoming hearing will commence on May 2, 1974. Supplementary proposed findings must be filed by all parties. It appears, therefore, that we are faced with additional delays in this proceeding.

This is now the prime construction season in northern New York State. No intervenor in this proceeding has opposed our exemption request. For the above reasons we renew our request that an exemption be granted as quickly as possible.

Thank you very much for your cooperation.

Very truly yours,

LEBOEUF, LAMB, LEIBY & MACRAE
Attorneys for Niagara Mohawk
Power Corporation

By _____
Lex K. Larson

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