

NRC PUBLIC DOCUMENT ROOM

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
LONG ISLAND LIGHTING COMPANY	)	Docket No. 50-322
	)	
(Shoreham Nuclear Power Station,	)	
Unit 1)	)	

APPLICANT'S REPLY TO MR. LIKE'S  
LETTER OF JUNE 6, 1979

Mr. Like has presented a request from the Suffolk County Legislature "that the Nuclear Regulatory Commission require that the Long Island Lighting Company conduct a study of the feasibility and cost of converting the Shoreham Electric Generating Station [sic] from nuclear to conventional or alternative fuel." Letter from Irving Like to Elizabeth S. Bowers, June 6, 1979. The request is misdirected.

In his letter, Mr. Like made no effort to explain why Mrs. Bowers (or the Board as a whole) has authority to order that the study in question be conducted. No related issue is pending before the Board. Even if there were such an issue, each party would remain free to shape its own response.

In any event, all that Mrs. Bowers has received is a letter, not a motion requesting that the Board actually do

⑨  
7907160718

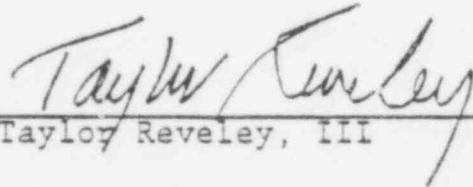
345 079

something. As a lawyer who has practiced extensively at the NRC bar, Mr. Like knows that (a), when an ASLB's jurisdiction is not clear, you address the issue and (b), when you want an ASLB to act, you file a motion. His disregard of these requirements is telling.

The County Legislature would have been better served had Mr. Like recommended that it approach the Applicant directly about the desired study. LILCO is presently analyzing the feasibility and cost of converting Shoreham from nuclear to coal generation. The Company will be happy to make its findings available to the Legislature.

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY



W. Taylor Reveley, III

Hunton & Williams  
707 East Main Street  
P. O. Box 1535  
Richmond, Virginia 23212

DATED: June 21, 1979

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station, Unit 1)  
Docket No. 50-322



CERTIFICATE OF SERVICE

I hereby certify that copies of APPLICANT'S REPLY TO MR. LIKE'S LETTER OF JUNE 6, 1979 were served upon the following by first-class mail, postage prepaid, on June 21, 1979:

Elizabeth S. Bowers, Esq.  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. Oscar H. Paris  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Mr. Frederick J. Shon  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Atomic Safety and Licensing  
Appeal Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Richard K. Hoefling, Esq.  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

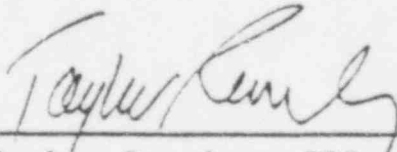
Jeffrey C. Cohen, Esq.  
New York State Energy Office  
Swan Street Building, Core 1  
Empire State Plaza  
Albany, New York 12223

Howard L. Blau, Esq.  
217 Newbridge Road  
Hicksville, New York 11801

Irving Like, Esq.  
Reilly and Like  
200 West Main Street  
Babylon, New York 11702

Ralph Shapiro, Esq.  
Cammer and Shapiro, P.C.  
9 East 40th Street  
New York, New York 10016

Mr. Marc W. Goldsmith  
Energy Research Group, Inc.  
400-1 Totten Pond Road  
Waltham, Massachusetts 02154

  
W. Taylor Reveley, III

DATED: June 21, 1979

345 081

UNITED STATES OF AMERICA  
 NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
LONG ISLAND LIGHTING COMPANY	)	Docket No. 50-322
	)	
(Shoreham Nuclear Power Station,	)	
Unit 1)	)	

APPLICANT'S REPLY TO MR. LIKE'S  
 LETTER OF JUNE 6, 1979

Mr. Like has presented a request from the Suffolk County Legislature "that the Nuclear Regulatory Commission require that the Long Island Lighting Company conduct a study of the feasibility and cost of converting the Shoreham Electric Generating Station [sic] from nuclear to conventional or alternative fuel." Letter from Irving Like to Elizabeth S. Bowers, June 6, 1979. The request is misdirected.

In his letter, Mr. Like made no effort to explain why Mrs. Bowers (or the Board as a whole) has authority to order that the study in question be conducted. No related issue is pending before the Board. Even if there were such an issue, each party would remain free to shape its own response.

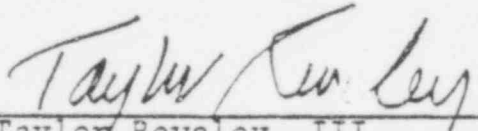
In any event, all that Mrs. Bowers has received is a letter, not a motion requesting that the Board actually do

something. As a lawyer who has practiced extensively at the NRC bar, Mr. Like knows that (a), when an ASLB's jurisdiction is not clear, you address the issue and (b), when you want an ASLB to act, you file a motion. His disregard of these requirements is telling.

The County Legislature would have been better served had Mr. Like recommended that it approach the Applicant directly about the desired study. LILCO is presently analyzing the feasibility and cost of converting Shoreham from nuclear to coal generation. The Company will be happy to make its findings available to the Legislature.

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY

  
\_\_\_\_\_  
W. Taylor Reveley, III

Hunton & Williams  
707 East Main Street  
P. O. Box 1535  
Richmond, Virginia 23212

DATED: June 21 1979

345 083

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station, Unit 1)  
Docket No. 50-322

---

CERTIFICATE OF SERVICE

I hereby certify that copies of APPLICANT'S REPLY TO MR. LIKE'S LETTER OF JUNE 6, 1979 were served upon the following by first-class mail, postage prepaid, on June 21, 1979:

Elizabeth S. Bowers, Esq.  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. Oscar H. Paris  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Mr. Frederick J. Shon  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Atomic Safety and Licensing  
Appeal Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Richard K. Hoefling, Esq.  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

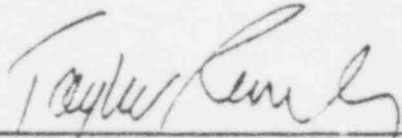
Jeffrey C. Cohen, Esq.  
New York State Energy Office  
Swan Street Building, Core 1  
Empire State Plaza  
Albany, New York 12223

Howard L. Blau, Esq.  
217 Newbridge Road  
Hicksville, New York 11801

Irving Like, Esq.  
Reilly and Like  
200 West Main Street  
Babylon, New York 11702

Ralph Shapiro, Esq.  
Canner and Shapiro, P.C.  
9 East 40th Street  
New York, New York 10016

Mr. Marc W. Goldsmith  
Energy Research Group, Inc.  
400-1 Totten Pond Road  
Waltham, Massachusetts 02154

  
\_\_\_\_\_  
W. Taylor Reveley, III

DATED: June 21, 1979

345 084

UNITED STATES OF AMERICA  
 NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
LONG ISLAND LIGHTING COMPANY	)	Docket No. 59-322
	)	
(Shoreham Nuclear Power Station,	)	
Unit 1)	)	

APPLICANT'S REPLY TO MR. LIKE'S  
 LETTER OF JUNE 6, 1979

Mr. Like has presented a request from the Suffolk County Legislature "that the Nuclear Regulatory Commission require that the Long Island Lighting Company conduct a study of the feasibility and cost of converting the Shoreham Electric Generating Station [sic] from nuclear to conventional or alternative fuel." Letter from Irving Like to Elizabeth S. Bowers, June 6, 1979. The request is misdirected.

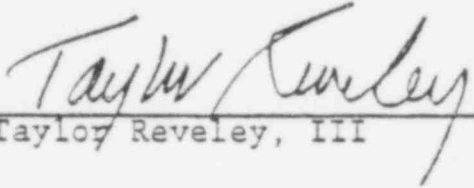
In his letter, Mr. Like made no effort to explain why Mrs. Bowers (or the Board as a whole) has authority to order that the study in question be conducted. No related issue is pending before the Board. Even if there were such an issue, each party would remain free to shape its own response.

In any event, all that Mrs. Bowers has received is a letter, not a motion requesting that the Board actually do

something. As a lawyer who has practiced extensively at the NRC bar, Mr. Like knows that (a), when an ASLB's jurisdiction is not clear, you address the issue and (b), when you want an ASLB to act, you file a motion. His disregard of these requirements is telling.

The County Legislature would have been better served had Mr. Like recommended that it approach the Applicant directly about the desired study. LILCO is presently analyzing the feasibility and cost of converting Shoreham from nuclear to coal generation. The Company will be happy to make its findings available to the Legislature.

Respectfully submitted,  
LONG ISLAND LIGHTING COMPANY

  
\_\_\_\_\_  
W. Taylor Reveley, III

Hunton & Williams  
707 East Main Street  
P. O. Box 1535  
Richmond, Virginia 23212

DATED: June 21, 1979



In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station, Unit 1)  
Docket No. 50-322

---

CERTIFICATE OF SERVICE

I hereby certify that copies of APPLICANT'S REPLY TO MR. LIKE'S LETTER OF JUNE 6, 1979 were served upon the following by first-class mail, postage prepaid, on June 21, 1979:

Elizabeth S. Bowers, Esq.  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. Oscar H. Paris  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Mr. Frederick J. Shon  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Atomic Safety and Licensing  
Appeal Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Richard K. Hoefling, Esq.  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555


Jeffrey C. Cohen, Esq.  
New York State Energy Office  
Swan Street Building, Core 1  
Empire State Plaza  
Albany, New York 12223

Howard L. Blau, Esq.  
217 Newbridge Road  
Hicksville, New York 11801

Irving Like, Esq.  
Reilly and Like  
200 West Main Street  
Babylon, New York 11702

Ralph Shapiro, Esq.  
Cammer and Shapiro, P.C.  
9 East 40th Street  
New York, New York 10016

Mr. Marc W. Goldsmith  
Energy Research Group, Inc.  
400-1 Totten Pond Road  
Waltham, Massachusetts 02154

  
\_\_\_\_\_  
W. Taylor Reveley, III

DATED: June 21, 1979

345 087