

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



BEFORE THE PRESIDING OFFICER

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In the Matter of )

PROPOSED RULEMAKING ON )  
THE STORAGE AND DISPOSAL )  
OF NUCLEAR WASTE )

(Waste Confidence Rulemaking) )  
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PR-50, -51  
(44 Fed. Reg. 61372)

STATEMENT OF  
NIAGARA MOHAWK POWER CORPORATION,  
OMAHA PUBLIC POWER DISTRICT,  
POWER AUTHORITY OF THE STATE OF NEW YORK,  
AND PUBLIC SERVICE COMPANY OF INDIANA, INC.  
CONCERNING FURTHER PROCEEDINGS

October 6, 1980

Niagara Mohawk Power Corporation, Omaha Public Power District, Power Authority of the State of New York, and Public Service Company of Indiana, Inc. ("Utilities") hereby file their suggestions as to further proceedings, additional areas of inquiry, or further data or studies that may be necessary prior to final Commission action in this proceeding. Based upon a thorough review of the statements and cross-statements already filed, Utilities assert that an adequate record has been compiled and that no further proceedings or actions are necessary or desirable. Utilities submit that the Commission can and should proceed expeditiously to review the record and to issue a final rule.

Utilities wish to emphasize that the Commission should make affirmative findings on all three of the questions presented in this proceeding. As noted in the Cross-Statement of Consumers Power Company, some reactor operating licenses will expire prior to 2006. Thus, an overall finding of confidence must include findings that away-from-reactor storage and continued on-site storage will be available pending the latest anticipated completion date for a permanent repository.

Respectfully submitted,

LeBOEUF, LAMB, LEIBY & MacRAE

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October 6, 1980

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