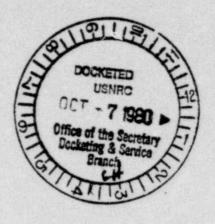
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



## BEFORE THE PRESIDING OFFICER

In the Matter of

PROPOSED RULEMAKING ON THE STORAGE AND DISPOSAL OF NUCLEAR WASTE

(Waste Confidence Rulemaking)

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, Cmaha 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 crossstatements already filed, Utilities assert that an adequate
record has been compiled and that no further proceedings or
act ons 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 no ? in the Cross-Statement of Consumers Power Company, some reactor operating licenses will expire prior to 2006. Thus, an overall adding 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

By Harry H. Void

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Attorneys for Utilities