

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSIONERS:  
Nunzio J. Palladino, Chairman  
Victor Gilinsky  
John F. Ahearne  
Thomas M. Roberts

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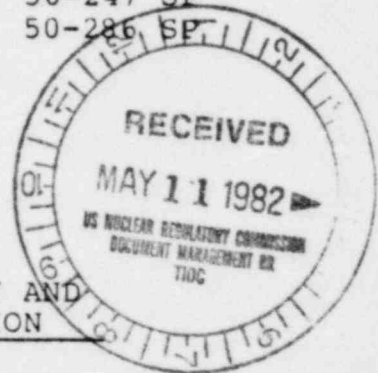
OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of )

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. )  
(Indian Point, Unit No. 2) )

POWER AUTHORITY OF THE STATE OF NEW YORK )  
(Indian Point, Unit No. 3) )

Docket Nos.  
50-247 SP  
50-286 SP



POWER AUTHORITY'S ADDENDUM TO NOTICE AND  
SUPPORTING BRIEF OF APPEAL OF THE ATOMIC SAFETY AND  
LICENSING BOARD'S ORDER GRANTING INTERVENTION

The Power Authority of the State of New York (Power Authority), licensee of Indian Point Unit No. 3, hereby supplements its appeal of the Atomic Safety and Licensing Board's (Licensing Board's) April 2, 1982 Order regarding intervention by appealing the Licensing Board's April 23, 1982 Order which granted intervenor status to an additional party, the Greater New York Council on Energy (GNYCE).

- I. GNYCE DOES NOT HAVE STANDING TO INTERVENE IN THIS PROCEEDING BECAUSE IT FAILED TO ESTABLISH THAT THE PERSONS IT SEEKS TO REPRESENT ARE MEMBERS OR THE FUNCTIONAL EQUIVALENT THEREOF

The Power Authority incorporates by reference as if fully set forth herein the arguments regarding standing in

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Power Authority's Brief in Support of its Appeal of the Atomic Safety and Licensing Board's Order Granting Intervention and Denying the Power Authority's Request for an Evidentiary Hearing at 3-9 (Apr. 19, 1982) (Appeal Brief).

Although GNYCE has submitted an affidavit from one person alleging membership,<sup>1</sup> this mere recitation of membership does not establish that he "possess[es] all of the indicia of membership in [GNYCE],"<sup>2</sup> or "any other connection with [GNYCE]."<sup>3</sup>

II. GNYCE, AN OPPONENT OF NUCLEAR POWER REGARDLESS OF SAFETY, SHOULD NOT BE ALLOWED TO USE THIS PROCEEDING TO DEBATE NUCLEAR POWER

The Power Authority incorporates by reference as if fully set forth herein the arguments regarding an organization's purpose in its Appeal Brief at 10-18.

In an antinuclear publication, GNYCE counsels its readers that

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1. Affidavit of Andrew Rosenbloom Authorizing Representation by the Greater New York Council on Energy, Attachment to Amendment to Petition for Leave to Intervene of the Greater New York Council Council [sic] on Energy (Dec. 10, 1981).

2. Hunt v. Washington Apple Advertising Commission, 432 U.S. 333, 344 (1977).

3. Health Research Group v. Kennedy, 82 F.R.D. 21, 27 (D.D.C. 1979).

[a]nyone can help create a stable energy future and stop the spread of nuclear technology.

Anyone Can, Alternate Currents with the Greater New York Council on Energy, Fall 1980, at 7 (Alternate Currents) (emphasis added). It believes that the development and use of nuclear power is not in the public interest.

Nuclear power is good for the companies that build reactors, those that control the supply of uranium, and the electric utilities that, through state public service laws, earn profits in proportion to their capital investment. Meanwhile, American consumers must pay ever-increasing prices for products made with electricity, struggle against accelerating inflation and a growing health risk, and bear the financial and social costs of high unemployment in an economy that is vulnerable to the whims of uranium and oil suppliers.

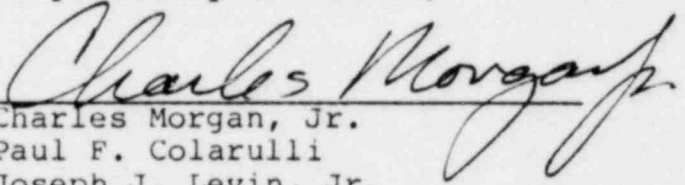
Debits and Credits, Alternative Currents at 1, 7. GNYCE claims that "[s]uch basic civil rights as freedom of speech and freedom of the press may have to be sacrificed to maintain a safe level of public ignorance about nuclear technology and the uses of nuclear substances." Material Unaccounted For, Alternate Currents at 3.

GNYCE's participation in this proceeding would divert attention from the complex issues involved, denigrate the process the NRC has chosen to resolve safety issues at Indian Point, and not be in the public interest.

CONCLUSION

For the foregoing reasons, the Power Authority of the State of New York requests that the Nuclear Regulatory Commission reverse the decision of the Atomic Safety and Licensing Board granting interconnection to the Greater New York Council on Energy.

Respectfully submitted,

  
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Dated: May 10, 1982

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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NEW YORK	)	
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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of May, 1982, I caused a copy of the Power Authority's Addendum to Notice and Supporting Brief of Appeal of The Atomic Safety and Licensing Board's Order Granting Intervention to be served by first class mail, postage prepaid on:

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