

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:
James P. Gleason, Chairman
Dr. Oscar H. Paris
Frederick J. Shon

In the Matter of	X	
	X	
	X	Docket Nos.
CONSOLIDATED EDISON COMPANY OF	X	
NEW YORK (Indian Point Unit 2)	X	50-247-SP
	X	50-286-SP
POWER AUTHORITY OF THE STATE OF	X	
NEW YORK (Indian Point Unit 3)	X	February 8, 1983
	X	
	X	

AFFIRMATION IN OPPOSITION TO LICENSEES'
FEBRUARY 1, 1983 MOTION FOR EXPEDITED
ORDER COMPELLING PRODUCTION OF DOCUMENTS

I, RICHARD HARTZMAN, an attorney at law admitted to practice in the State of New York, and being aware of the penalties for perjury, do hereby affirm:

1. The statements made herein are based upon personal knowledge or upon information and belief; such information and belief being based upon conversations I have had with DR. CHARLES PERROW.

2. I represent FOE/Audubon in the above-captioned matter.

3. DR. CHARLES PERROW will appear as a FOE/Audubon witness in the above-captioned matter.

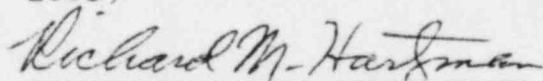
4. DR. CHARLES PERROW has not relied nor will he rely in the testimony he will give in the above-captioned matter upon two incomplete, unrevised and unpublished chapters, or any part thereof, of a larger work in progress.

5. At the deposition of DR. PERROW on January 24, 1983, one of the chapters at issue was consulted by DR. PERROW to refresh his recollection of a list of factors contained in the concept of "tight coupling", which factors appear on page 3 of Dr Perrow's prefiled testimony. The list in the manuscript was not relied upon by DR. PERROW in his testimony but appears in parallel fashion in both documents.

6. No portion of DR. PERROW's testimony draws upon anything in the manuscripts. Rather portions of the draft manuscript and the full testimony of DR. PERROW are derived from other sources which have been made know or provided to the licensees.

7. The chapters at issue are unrevised portions of a book that DR. PERROW is under contract to prepare for publication and have been kept confidential. They are part of a work in progress and are therefore, by definition, in a less developed state than the testimony Dr. Perrow will give in this proceeding.

Affirmed this 8th day of February,
1983,


Richard M. Hartzman, Esq.