

POWER AUTHORITY OF THE STATE OF NEW YORK  
10 COLUMBUS CIRCLE, NEW YORK, NEW YORK 10019

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  
4 IRVING PLACE, NEW YORK, NEW YORK 10003

DOCKETED  
USNRC

'82 OCT 28 AM 11:3

October 27, 1982

SECRETARY  
OF THE BOARD  
OF LICENSING & SERVICE  
BRANCH

James P. Gleason Esq., Chairman  
Administrative Judge  
513 Gilmore Drive  
Silver Springs, Maryland 20901

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

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

In the Matter of  
Consolidated Edison Company  
of New York (Indian Point, Unit 2)  
Power Authority of the State of  
New York (Indian Point, Unit 3)  
Docket Nos. 50-247-SP and 50-286-SP

Dear Administrative Judges:

On October 1, 1982, this Board issued its "Memorandum and Order" (October 1 Order) reformulating contentions in the captioned proceeding. The Board invited all parties to file responses to the Order on or before October 15, 1982,\* which deadline was subsequently extended until October 19, 1982\*\*. The Licensees are in receipt of the following pleadings filed by intervenors and interested participants in response to the October 1 Order:

- (1) "West Branch Conservation Association's Reply to Memorandum and Order of October 1, 1982," dated October 13, 1982.
- (2) "New York City Council Member Motion in Response to ASLB Memorandum and Order (October 1, 1982)", dated October 13, 1982.

\* October 1 Order at p.40

\*\* See Mailgram from the Board to the parties dated October 14, 1982

Administrative Judges  
October 27, 1982  
Page 2

- (3) "Parents Concerned About Indian Point - Pre-Hearing Motion," dated October 15, 1982.
- (4) "Intervenors' Response to ASLB Memorandum and Order of October 1, 1982," dated October 19, 1982.
- (5) "Rockland County Motion In Response to Atomic Safety and Licensing Board Memorandum and Order - 1982," dated October 19, 1982.
- (6) "Westchester County Executive Motion In Response to ASLB Memorandum And Order (October 1, 1982)", dated October 19, 1982.

While the pleadings of the New York City Council members, Parents, Rockland County and Westchester County are nominally styled as "motions", they in fact comment upon and take issue with certain provisions of the October 1 Order, primarily regarding the scheduling of emergency planning issues. Treating these responses strictly as motions, however, would mean that responses would be due as early as October 28.

The principal purpose of the pre-hearing conference to be held on November 3-4 is to discuss the positions of the parties on the October 1 Order, and to schedule further pre-hearing and hearing matters in this case. Since the previously filed "motions" all deal with these same issues, the Licensees submit that efficiency and good order would be served if the positions of all parties respecting the October 1 Order were aired at the pre-hearing conference, rather than in discrete filings responding to separate motions. Therefore, absent objection from the Board, the Licensees will plan to orally address all matters raised by the various responses and motions relating to the October 1 Order at the upcoming pre-hearing conference.

Sincerely,

*Brent L. Brandenburg by*

Brent L. Brandenburg  
Counsel for Consolidated Edison  
Co. of New York, Inc.

*Charles Morgan, Jr. by*

Charles Morgan, Jr.  
Counsel for Power Authority  
of the State of New York

BLB:erf

cc: Service List  
(express mail)