



LONG ISLAND LIGHTING COMPANY

175 EAST OLD COUNTRY ROAD · HICKSVILLE, NEW YORK 11801

Direct Dial Number

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KEY NUMBER
PROPOSED RULE PR-140
(48FR 9284)

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April 5, 1983

Mr. Samuel J. Chilk
Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Financial Protection Requirements and Indemnity
Agreements
Proposed Rule
Federal Register Notice/Vol. 48, No. 44/Friday, March 4, 1983

Dear Mr. Chilk:

On March 4, 1983 the NRC published for comment a proposed rule that would remove Appendices "A" through "H" from Title 10 Code of Federal Regulations Part 140. The stated purpose of this proposed rule change is to make the information contained in these Appendices available in the form of a Regulatory Guide and to remove unnecessary detail from the regulations.

LILCO is opposed to the removal of Appendices "A" through "H" from 10 CFR Part 140. We agree with the assessment of the Committee to Review Generic Requirements that this proposed rule would increase the potential for protracted licensing hearings by permitting case-by-case litigation on the forms of indemnity contracts and insurance agreements. Protracted Licensing hearings concerning the forms of indemnity contracts and insurance agreements would be inordinate, costly, and serve little purpose except to delay hearing decisions on much more important matters.

We also agree with Commission Asselstine's position that in this instance the Commission would violate the concept that issues should be resolved generically through the rulemaking process where possible. When applied properly this concept would reduce the number of issues to be addressed on a case-by-case basis in individual plant licensing proceedings.

Very truly yours,

R. A. Kubinak
R. A. Kubinak, Manager
Nuclear Operations
Support Department

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