

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

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In the Matter of)

CONSOLIDATED EDISON COMPANY)
OF NEW YORK)

(Indian Point, Unit No. 2))

POWER AUTHORITY OF THE STATE)
OF NEW YORK)

(Indian Point, Unit No. 3))

Docket No. 50-247-SP
50-286-SP

December 17, 1982

MEMORANDUM AND ORDER

(Memorializing Telephone Conversations of
December 15 and 16, 1982 and Dismissing Parents'
and WBCA's Motions to Compel Discovery)

On November 30, 1982, Parents filed a motion entitled "Parents Concerned About Indian Point Motion to Compel Discovery", in which Parents moved, inter alia, for an order directing Licensees to answer Interrogatories 1-11. WBCA filed a motion entitled "Motion by West Branch Conservation Association to Compel Discovery of Consolidated Edison" on December 4, 1982, in which it moved for an order directing Con Edison to provide WBCA with a copy of a document related to WBCA's Contention 2.2(a). Licensees submitted no written response to either of the motions.

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On December 15, 1982, counsel for Con Edison, Mr. Steven Sohinki, telephoned the Law Clerk to the Board, Ms. Ruthanne Miller, to report that Licensees had decided to answer Parents' interrogatories and that Con Edison had decided to send WBCA the requested document. He stated that the answers and the document would be sent by December 17, 1982. On December 16, 1982, Mr. Sohinki phoned Ms. Miller to report that he had informed WBCA by telephone of Con Edison's decision but had been unable to reach Parents; therefore, on December 15, 1982, he had mailed Parents a letter to inform them of Licensees' decision.

Since Licensees have voluntarily chosen to respond to these discovery requests, the Board considers the motions to compel discovery of Licensees by Parents and WBCA moot.

For the foregoing reasons, it is this 17th day of December, 1982
ORDERED

That the part of "Parents Concerned About Indian Point Motion to Compel Discovery", dated November 30, 1982, relating to the Licensees, and the "Motion by West Branch Conservation Association to Compel Discovery of Consolidated Edison", dated December 4, 1982, are dismissed as moot.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

Oscar H. Paris

ADMINISTRATIVE JUDGE

for

James P. Gleason, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland