



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING APPEAL PANEL
WASHINGTON, D.C. 20555

Docketing + Serv...

July 24, 1984

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Fabian G. Palomino, Esq.
Special Counsel to the
Governor
Executive Chamber
Room 229
Capitol Building
Albany, New York 12224

Re: In the Matter of
LONG ISLAND LIGHTING COMPANY
(Shoreham Nuclear Power Station,
Unit 1)
Docket No. 50-322-OL-4 (Low Power)

Dear Mr. Palomino:

The Chairman of the Appeal Board assigned to the above-styled proceeding has asked me to acknowledge receipt of Ms. Zavlek's letter in response to my July 10, 1984 inquiry on behalf of the Board.

The Chairman fully understands that, in this instance at least, the State of New York is being represented by the Governor's office rather than by its Attorney General. He also understands that your official title is that of Special Counsel to the Governor and that you therefore employ that title in identifying yourself on pleadings filed in the proceeding. But neither of these considerations or Ms. Zavlek's letter explains why you have signed papers filed in the name of the State as attorney for the Governor rather than as attorney for the State. More specifically, it would seem to the Chairman that, in connection with such papers, you are acting as attorney for the State and should be so designated. (Such a designation would, of course, not preclude your use of your official title. Presumably, when the Attorney General of New York files papers in the name of the State, he uses his official title for identification purposes but nonetheless signs the papers as attorney for the State.)

The Board does not intend to pursue this matter any further. As you will note from ALAB-777, issued on July 20, 1984 in connection with one of the disqualification motions filed by the State and Suffolk County, the authors of that opinion chose to consider your

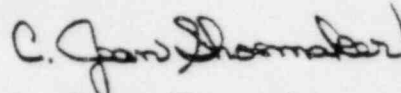
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involvement in that motion as having been as counsel for the State. They will similarly regard any future papers that you might file in the proceeding in the name of the State.

Sincerely,



C. Jean Shoemaker
Secretary to the
Appeal Board

cc with copy of Ms. Zavlek's 7/20 letter:

W. Taylor Reveley, III, Esq.
Robert G. Perlis, Esq.
Lawrence Coe Lanpher, Esq.
Docketing and Service Branch