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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Lawrence Brenner, Chairman
Dr. George A. Ferguson
Dr. Peter A. Morris

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USNRC

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In the Matter of
LONG ISLAND LIGHTING COMPANY
(Shoreham Nuclear Power Station,
Unit 1)

Docket No. 50-322-0L

August 1, 1984

ORDER ON MISCELLANEOUS PREHEARING MATTERS

Suffolk County's Motion to Compel the Production of Documents

In light of LILCO's answer of July 30, 1984, to the County's July 24 motion, the County may file a reply if it believes an unresolved discovery dispute still remains. If it files such a reply, the County shall address the timeliness of its July 24 motion to compel as to any documents still in dispute. Any County reply shall be received by August 7, 1984. Suffolk County was informed of this on August 1.

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Procedure for Presenting Testimony at the Hearing

The Board will defer to the desire of LILCO and Suffolk County that direct testimony be presented party by party, rather than issue by issue. However, within each party's testimony, and the cross-examination thereof, there shall be an issue by issue division to the extent practicable. In this connection, all the parties might prefer to complete the cross-examination and redirect of a separable issue, before proceeding to the next issue, although the party presenting the direct testimony would remain the same until testimony by that party on all issues is completed. Under the party by party procedure, the NRC Staff will not testify until the testimony of LILCO and the County is complete on all issues. If the NRC Staff desires, as indicated in the July 30 letter report from LILCO's counsel, the Staff may at the time of its presentation divide up its witness panels on an issue by issue basis.

In short, there are a variety of flexible arrangements which are available to accommodate the different procedural preferences of the parties with respect to the sequence of testimony. The parties shall consider the further refinements suggested in this order so that they will all be prepared to follow the same agreed-upon sequence at the hearing.

It would assist the Board if parties would provide a table of contents with their written testimony. Suffolk County is requested to provide a table of contents for its July 31 direct testimony as soon as practicable. In addition, the parties are requested to provide one extra copy of their testimony and attachments and exhibits at the hearing for the Board's use.

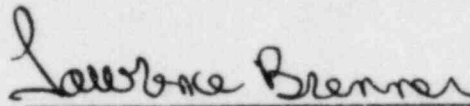
Proposed Findings

The parties are reminded that it is this Board's standing order that proposed findings of fact and conclusions of law are required to be filed pursuant to our authority under 10 C.F.R. § 2.754(a) and (b). This Board will use the format established for the Shoreham emergency planning proceeding by the Laurenson Board, rather than the two tiered opinion and findings format used in our Partial Initial Decision. See "Memorandum and Order Establishing Format and Schedule of Proposed Findings of Fact and Conclusions of Law," (Emergency Planning Proceeding), slip op. at 5-6 (July 27, 1984). We also agree with and direct the parties to adhere to Sections I through VII of Judge Laurenson's order in the proceeding before us.

The proposed findings shall be double-spaced on only one side of the page. We expect to set a page limit for proposed findings and replies thereto. This will be discussed at the hearing.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD



Lawrence Brenner, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland
August 1, 1984

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COURTESY NOTIFICATION

As circumstances warrant from time to time, the Board will mail a copy of its memoranda and orders directly to each party, petitioner or other interested participant. This is intended solely as a courtesy and convenience to those served to provide extra time. Official service will be separate from the courtesy notification and will continue to be made by the Office of the Secretary of the Commission. Unless otherwise stated, time periods will be computed from the official service.

I hereby certify that I have today mailed copies of the Board's "Order on Miscellaneous Prehearing Matters" to the persons designated on the attached Courtesy Notification List.

Valarie M. Lane

Valarie M. Lane
Secretary to Judge Lawrence Brenner
Atomic Safety and Licensing Board

Bethesda, Maryland
August 1, 1984

Attachment

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