

953

LILCO, November 1, 1984

DOCKETED

-5 11:33

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
LONG ISLAND LIGHTING COMPANY	)	Docket No. 50-322-OL-3
	)	(Emergency Planning Proceeding)
(Shoreham Nuclear Power Station,	)	
Unit 1)	)	

JOINT MOTION TO REVISE SCHEDULE FOR FILING  
BRIEFS ON THE MERITS OF "LEGAL AUTHORITY" ISSUES

The Board's October 22 Memorandum and Order established a presumptive schedule for submission of briefs by all parties on certain questions relating to LILCO's motion for summary disposition of Contentions 1-10 (the "Legal Authority" contentions). The Board also permitted the parties "to establish a different briefing schedule provided that all parties are in agreement and that we are promptly notified of any such change."

The parties have conferred on, and hereby request the Board's approval of, the following modification to the schedule set forth in the Board's October 22 Memorandum and Order:

8411060265 841101  
PDR ADOCK 05000322  
PDR

*add'g Dep'n  
of OCA*

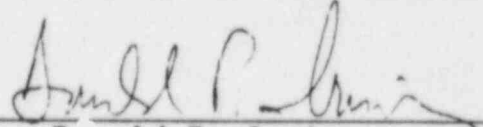
*DS03*

<u>Action</u>	<u>Service Date</u>	<u>Receive Date</u>
Briefs on the merits by LILCO and Intervenors Suffolk County and New York State	November 19	November 20
Responses by LILCO and Intervenors	November 29	November 30
NRC Staff Brief	December 7	December 10 <u>1/</u>

I am authorized to state that counsel for the NRC Staff and for Intervenors Suffolk County and New York State concur in this motion.

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY

  
Donald P. Irwin

Hunton & Williams  
707 East Main Street  
P.O. Box 1535  
Richmond, Virginia 23212

DATED: November 1, 1984

---

1/ The Staff's brief will be served in accordance with the Commission's regulations on December 7 with a receive date of December 10. Staff counsel will attempt to make the Staff's brief available to the Board and other counsel located in Washington on December 7.

LILCO, November 1, 1984

CERTIFICATE OF SERVICE

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station, Unit 1)  
(Emergency Planning Proceeding)  
Docket No. 50-322-OL-3

I certify that copies of LILCO's JOINT MOTION TO REVISE SCHEDULE FOR FILING BRIEFS ON THE MERITS OF "LEGAL AUTHORITY" ISSUES were served this date upon the following by first-class mail, postage prepaid.

James A. Laurenson,  
Chairman  
Atomic Safety and Licensing  
Board  
U.S. Nuclear Regulatory  
Commission  
East-West Tower, Rm. 402A  
4350 East-West Hwy.  
Bethesda, MD 20814

Dr. Jerry R. Kline  
Atomic Safety and Licensing  
Board  
U.S. Nuclear Regulatory  
Commission  
East-West Tower, Rm. 427  
4350 East-West Hwy.  
Bethesda, MD 20814

Mr. Frederick J. Shon  
Atomic Safety and Licensing  
Board  
U.S. Nuclear Regulatory  
Commission  
East-West Tower, Rm. 430  
4350 East-West Hwy.  
Bethesda, MD 20814

Donna Duer, Esq.  
Law Clerk  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory  
Commission  
East-West Tower, North Tower  
4350 East-West Highway  
Bethesda, MD 20814

Secretary of the Commission  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Appeal Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Bernard M. Bordenick, Esq.  
Oreste Russ Pirfo, Esq.  
Edwin J. Reis, Esq.  
U. S. Nuclear Regulatory  
Commission  
7735 Old Georgetown Road  
(to mailroom)  
Bethesda, MD 20814

Stewart M. Glass, Esq.  
Regional Counsel  
Federal Emergency Management  
Agency  
26 Federal Plaza, Room 1349  
New York, New York 10278

Stephen B. Latham, Esq.  
John F. Shea, Esq.  
Twomey, Latham & Shea  
33 West Second Street  
P.O. Box 398  
Riverhead, NY 11901

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

Herbert H. Brown, Esq.  
Lawrence Coe Lanpher, Esq.  
Christopher M. McMurray, Esq.  
Kirkpatrick, Lockhart, Hill  
Christopher & Phillips  
8th Floor  
1900 M Street, N.W.  
Washington, D.C. 20036

MHB Technical Associates  
1723 Hamilton Avenue  
Suite K  
San Jose, California 95125

Mr. Jay Dunkelberger  
New York State Energy Office  
Agency Building 2  
Empire State Plaza  
Albany, New York 12223

Gerald C. Crotty, Esq.  
Counsel to the Governor  
Executive Chamber  
State Capitol  
Albany, New York 12224

Ralph Shapiro, Esq.  
Cammer & Shapiro, P.C.  
9 East 40th Street  
New York, New York 10016

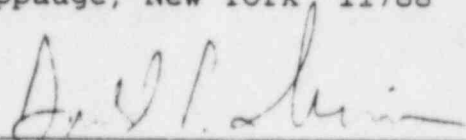
James B. Dougherty, Esq.  
3045 Porter Street  
Washington, D.C. 20008

Jonathan D. Feinberg, Esq.  
New York State Public Service  
Commission, Staff Counsel  
3 Rockefeller Plaza  
Albany, New York 12223

Spence W. Perry, Esq.  
Associate General Counsel  
Federal Emergency Management  
Agency  
500 C Street, S.W., Rm. 840  
Washington, D.C. 20472

Ms. Nora Bredes  
Executive Coordinator  
Shoreham Opponents' Coalition  
195 East Main Street  
Smithtown, New York 11787

Martin Bradley Ashare, Esq.  
Suffolk County Attorney  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, New York, 11788



Donald P. Irwin

Hunton & Williams  
707 East Main Street  
Post Office Box 1535  
Richmond, Virginia 23212

DATED: November 1, 1984