



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

August 13, 1984

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Honorable Herzel H.E. Plaine
General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Judge Plaine:

Re: Long Island Lighting Company - Shoreham Nuclear Power Plant
Docket No. 50-322-0L

In the enclosed Memorandum and Order, issued today, the Shoreham-0L Licensing Board denied a petition, filed by Suffolk County and New York State, for exception from the regulations which preclude a financial qualifications review of an electric utility in an operating license proceeding. The Board also denied the petitioners' request to certify denial of the petition to the Appeal Board or the Commission.

The purpose of this letter is to bring to the Commission's attention, through you, the views expressed by the Board at page 16 of the enclosed ruling, as follows:

" . . . Intervenors have not shown that LILCO cannot obtain sufficient funds to operate Shoreham safely through the ratemaking process. We are aware however, that LILCO is experiencing financial difficulties, and it may be appropriate for the Commission to have the Staff determine if these difficulties have led to any safety problems to date, and to continue to monitor more closely than it normally would, LILCO's operational readiness (staffing, resources, etc.) if and after any operating license is issued. Cf. Maine Yankee Atomic Power Co. (Maine Yankee Atomic Power

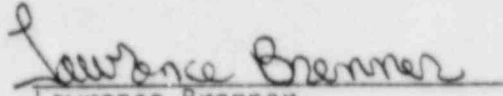
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Station), CLI-83-21, 18 NRC 157 (1983), where the Commission directed the Staff to review the situation to determine if any safety problems arose as a result of financial difficulties."

Sincerely,


Lawrence Brenner
ADMINISTRATIVE JUDGE

Enclosure: "Memorandum and Order Denying Suffolk County and the State of New York Petition for Exception from Regulations Precluding Financial Qualifications Contention and Motion for Certification to the Commission"

c: Docketing & Service
[For service on all parties]