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LILCO, March 18, 1985

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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Before the Atomic Safety and Licensing Board

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

DOCKET & SERVICE

LILCO'S RESPONSE TO INTERVENORS'
NOTICE OF INTENTION TO FILE REPLY MEMORANDUM

LILCO has received, on Saturday, March 16, Intervenors' March 13 "Notice of Intention to File Reply Memorandum" on issues related to LILCO's designation of the Nassau Coliseum as a reception center. The "Notice" is ostensibly based on an unpublished Appeal Board Order of February 13 in the Waterford case.

Only this Board can state dispositively what pleadings it contemplated in its January 28 Order, although it is clear that the last pleading permitted on the face of that Order was LILCO's Response of February 26. The only other thing that appears clear is that unless this Board summarily disposes of the Coliseum matter on the basis of the substantive pleadings before it, several more weeks, and probably months, will elapse before it is decided.¹

¹ LILCO does not concede that Intervenors have shown good cause for filing any further papers on the Coliseum matter, but has not addressed either this question or the substantive allegations in Intervenors' March 1 paper because that paper appeared plainly unauthorized. In the event the Board permits Intervenors to file the substantive response presaged by their March 13 "Notice," LILCO requests permission, consistent with the Appeal Board's February 13 Waterford Order, to reply substantively before the Board rules.

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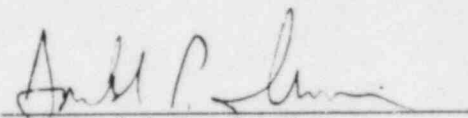
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LILCO continues to believe that the Board should summarily dispose of the issue on the basis of the papers specifically authorized by its January 28 Order, and then return to the task from which time, events and the Intervenor's pot-stirring tactics continue to divert it, namely, completion of its Initial Decision on the record which closed in August 1984.

In any other event, LILCO urges that the Board sever this issue from those covered in the record which closed last August, finish and issue its Partial Initial Decision on those issues, and then pick up this tag-end issue, along with any others which may drift in, in proceedings this spring and summer. Two such issues would be the "injured contaminated" issue based on the record from the GUARD v. NRC case (if it ever becomes ripe) and the results of the graded FEMA emergency planning exercise. Since opportunity must be afforded for litigation of the FEMA exercise before LILCO can proceed beyond 5% power, it is simply more efficient to combine litigation of these issues at one time.

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY

BY 
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DATED: March 18, 1985

CERTIFICATE OF SERVICE

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

I hereby certify that copies of LILCO'S RESPONSE TO INTER-
VENORS' NOTICE OF INTENTION TO FILE REPLY MEMORANDUM were
served this date upon the following by first-class mail, post-
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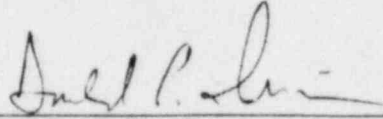
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