



errors of the Licensing Board in failing to apply correctly the exemption provisions of Section 50.12(a), failing to comply with the Commission's May 16 and July 18 Orders, and failing to confront the arguments of the parties and the evidence upon which such arguments were premised; and

(3) That the Commission not act in the interim on the Licensing Board's decision of September 5, 1984, which authorized issuance to LILCO of licenses for Phases I and II (fuel loading and cold criticality testing). The Licensing Board's Phase I and II decision has been overtaken and subsumed within the Board's October 29 low power decision.

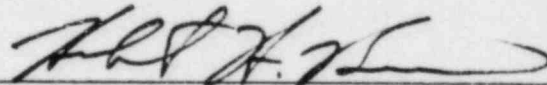
The County and State submit that the Licensing Board's decision presents not only unprecedented issues of factual, legal, and policy significance, but that it is an unfounded and arbitrary rejection of the position of the State and local governments. Indeed, the Licensing Board has recommended that the Federal government impose its authority over the objections of State, County, and local governments without squarely confronting the repeated and reasoned arguments of the County and State in opposition to such an exercise of Federal authority. In this regard, we attach herewith the recent statement of the President of the United States. The County and State, by various pleadings filed in the Shoreham proceeding, have made categorically clear that there should be no grant of a low power license to LILCO under the circumstances of this case, where effective emergency preparedness is deemed by local, County, and State governments to be unachievable. In

this instance, low power testing could provide no public benefit.

Respectfully submitted,

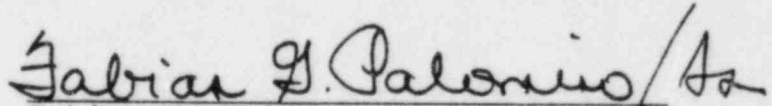
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October 31, 1984

THE WHITE HOUSE  
WASHINGTON

October 11, 1984

Dear bill:

I want you to know of my appreciation for your continuing contributions to and support for my Administration. Your leadership and courage have been determining factors in the progress we have made in the last few years.

On a matter of particular concern to you and the people of Eastern Long Island, I wish to repeat Secretary Meade's assurance to you that this Administration does not favor the imposition of Federal Government authority over the objections of state and local governments in matters regarding the adequacy of an emergency evacuation plan for a nuclear power plant such as Shoreham. Your concern for the safety of the people of Long Island is paramount and shared by the Secretary and me.

Thank you again for your support. I look forward to working with you in the years ahead.

Sincerely,

*Ronald Reagan*

The Honorable William Cerney  
House of Representatives  
Washington, D.C. 20515

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Commission

DOCKETER  
USNRC

'84 OCT 31 P4:50

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

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In the Matter of )

LONG ISLAND LIGHTING COMPANY )

(Shoreham Nuclear Power Station,  
Unit 1) )  
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Docket No. 50-322-OL-4  
(Low Power)

CERTIFICATE OF SERVICE

I hereby certify that copies of REQUEST OF SUFFOLK COUNTY AND NEW YORK STATE TO PRESENT WRITTEN BRIEFS AND ORAL ARGUMENTS ON THE LICENSING BOARD'S LOW POWER DECISION, dated October 31, 1984, have been served to the following this 31st day of October, 1984 by U.S. mail, first class, by hand when indicated by one asterisk, and by Federal Express when indicated by two asterisks.

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Washington, D.C. 20555

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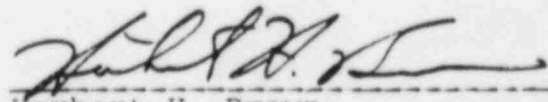
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DATE: October 31, 1984