

COUNTY OF SUFFOLK



COUNTY LEGISLATURE

72 100 30 610
emp

WAYNE PROSPECT
LEGISLATOR, 15TH DISTRICT

1789 EAST JERICO TURNPIKE
HUNTINGTON, NEW YORK 11743
OFFICE (516) 499-5886
HOME (516) 499-6744

April 26, 1982

POCKET NUMBER 50-322
PROD. & UTIL. REG.

Nunzio Palladino, Chairman
Nuclear Regulatory Commission
Matomic Building
1717 H. Street, N.W.
Washington, D.C. 20555

Dear Mr. Palladino:

Suffolk County government and its citizens are completely and unequivocally united around one idea - the Shoreham Nuclear station must be subject to a complete independent physical inspection and design review of all critical safety systems before it is given any interim or full operating license.

To this end, the Suffolk County Legislature unanimously approved and County Executive Peter Cohalan signed a resolution (1319) that would authorize Minor, Hubbard & Bridenbaugh Technical Associates (MHB) to choose and direct an engineering team for the purposes stated above. Both branches of county government have agreed to appropriate \$3 million dollars to fund the independent inspection.

Throughout the past year Lilco has publicly stated that there was no need for an inspection. However, as a result of the overwhelming public support of the physical inspection initiative, Lilco now says that it is willing to allow an independent inspection of Shoreham's safety "features", but instead of having the County consultants, MHB, coordinate the inspection, Lilco is insisting that they choose the inspection team. This is unacceptable because a Lilco inspection could never be an independent inspection.

Our major concern is that Lilco does not want its Shoreham nuclear station subject to the county's independent examination, and therefore they will seek to lock out the county's inspection team. If this circumstance arises, we request that the NRC, in the interest of protecting public health and safety, will order Lilco to open its Shoreham doors.

We hope the NRC will not ignore its public responsibility in assuring the safety of the Shoreham nuclear station.

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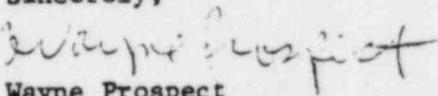
Acknowledged by card... 7/30/82 emp

NRC

~~is paraded as intended to capture an event that causes the controlled~~

Please inform me what actions you will take to assure that Lilco submits to a complete independent physical inspection on the Shoreham facility.

For the purposes of keeping the Commission informed, I have enclosed all relevant material.

Sincerely,

Wayne Prospect
County Legislator, 15th L.D.

WP/gj
encl.

RESOLUTION NO. -1982, AUTHORIZING THE COUNTY
EXECUTIVE TO ENTER INTO AN AGREEMENT(S) FOR A
PHYSICAL INSPECTION OF THE SHOREHAM NUCLEAR POWER
PLANT

WHEREAS, in Res. No. 598-1981, the Suffolk County Legislature requested Lilco to hire an independent engineering firm in order to conduct a complete physical inspection of all of the critical safety systems of the Shoreham Nuclear Power Plant, and

WHEREAS, Lilco has to date refused to undertake such a physical inspection, and

WHEREAS, various investigative reports have brought into question the structural integrity of the Shoreham Nuclear facility, and

WHEREAS, the county's consultants have identified dozens of violations of NRC Quality Assurance-Quality Control criteria over the last several years, demonstrating that there has been a systematic breakdown of Quality Assurance-Quality Control procedures of Lilco's Shoreham Nuclear Power Plant, and

WHEREAS, a complete physical inspection of all of the critical safety systems of the Shoreham Nuclear Power Plant is essential in order to protect the health and safety of the 1.3 million residents of Suffolk County, and

WHEREAS, it will be necessary to appropriate \$3 million dollars in order to begin a complete physical inspection of all critical safety systems of the Shoreham Nuclear Power Plant, therefore, be it

RESOLVED, that the County Executive is authorized to enter into all necessary contracts and take such other actions as maybe necessary in order to achieve a complete physical inspection of the Shoreham Nuclear Power Plant, and be it further

RESOLVED, that Minor, Hubbard & Bridenbaugh, Technical Associates (MHB) is hereby designated as lead contractor and consultant and is hereby authorized to write bid specifications, evaluate bid proposals and select the engineering firms necessary to inspect all of the critical safety systems of Lilco's Shoreham Nuclear Power Plant, and will prepare a report detailing the findings and conclusions thereof, and be it further

RESOLVED, that the County Executive is also authorized to pursue all necessary legal actions to recover from Lilco all expenses incurred to Suffolk County by this resolution.

DATED:

AS SN

Suffolk to finance nuke plant inspection

4/14/82

By MICHAEL HANRAHAN

The Suffolk Legislature yesterday authorized a \$3 million expenditure to inspect the construction of the \$2.5 billion Shoreham nuclear plant.

The Suffolk lawmakers voted unanimously to authorize the use of tax money to inspect the project. They acted after repeated warnings by anti-nuclear organizations that the plant is poorly constructed and not fit for loading of fuel late this year in accord with the Nuclear Regulatory Commission's licensing plan.

Suffolk County Executive Peter Cohalan yesterday called for a phys-

ical inspection of the plant, that has been under construction for the past 12 years.

Cohalan, following a VIP's tour of the project, said the plant was "too massive" to assimilate in a one-day inspection.

He said that he wanted a public inspection of the project to assure Suffolk County residents of the plant's relative safety. Cohalan has also in recent weeks challenged the Long Island Lighting Co. over its requests for rate increases.

The Suffolk County executive said yesterday that he would continue the county's opposition to the proposed licensing, which is to come up for formal proceedings late in May.

Cohalan warns of evacuation problems

Suffolk County Executive Peter Cohalan yesterday warned that a potential hazard at the Shoreham nuclear generating plant would create an unsolvable evacuation problem for local residents.

Cohalan, after touring the \$2.5 billion nuclear plant which has been under construction for 12 years, said yesterday that he is convinced technical experts should inspect the plant with regard to potential safety and operating efficiency.

Cohalan said that his administration has been unsuccessful in designing a plan to evacuate the area surrounding the Shoreham plant if a nuclear mishap should occur.

Cohalan said that county planners have developed a proposal to evacuate the western towns, but thus far have been perplexed by the removal of East End residents from the nuclear sphere.

Shoreham opponents have stated that Long Island's "deadend" geographical population mandates a federal rejection of the plant, because the federal statute of a 10-mile evacuation area does not apply on Long Island with a mass population on the West End and a considerable less citizen force in the five eastern towns.

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Cohalan Seeks Shoreham Inspection

By Rick Brand

Claiming that Suffolk residents have "lost confidence" in LILCO's ability to run the Shoreham nuclear plant safely, County Executive Peter F. Cohalan yesterday called on the utility to have a private consultant do a complete inspection of the controversial project.

Cohalan said he wants an inspection of all 32 safety systems by an independent consultant. Such a review, Deputy County Executive Frank Jones said, will cost \$3 million to \$5 million and take 6 to 18 months to complete. Jones said the inspection should be done before an operating license is granted. "LILCO has to come out of its bunker mentality," Cohalan said. "This is one way to show people they aren't the enemy."

In a letter to Charles Pierce, board chairman and chief executive officer, Cohalan urged the Long Island Lighting Co. to voluntarily undertake an inspection because "the public has lost confidence in the ability of the plant to operate safely and because LILCO as a corpo-

rate member of the Suffolk community, owes its neighbors the duty to respond forthrightly to their concerns. We want to do everything possible to prevent a recurrence of TMI [Three Mile Island] in Suffolk County.

"Any lesser course . . . would be timid and indeed unresponsive to the public's need," he said.

Jan Hickman, a LILCO spokeswoman, chided the county for its last-minute concern about the plant, now almost complete, claiming that "LILCO has been concerned about safety since it started designing the plant in the late 1960s." She said the plant already has undergone thousands of inspections by government agencies, private contractors and LILCO personnel.

"We'd be willing to discuss the proposal if it is presented in that form, as a proposal . . . if not, the county can then wend its way through the federal channels," she said. Any inspection, she said, would have to be discussed as part of an agreement to withdraw some issues at upcoming licensing hearings to be held by the

Nuclear Regulatory Commission. She said the county last year "threw away" a stipulated agreement to get the equivalent of the inspection it now seeks.

Cohalan, however, said the inspection he now wants is "far more extensive" than the one turned down last fall by the county legislature. LILCO had agreed at that time to allow consultants to inspect two critical safety systems.

Legis. Wayne Prospect (D-Dix Hills), a leading opponent of the utility, said he supports Cohalan's effort but said the county should be ready to finance an inspection itself if LILCO refuses.

Earlier in the day, the legislature's public safety committee approved 4-0-1 a Prospect resolution authorizing \$3 million to pay for such an inspection. The measure could be voted on by the full legislature at its April 13 meeting. Cohalan said he has taken no position on the resolution but expressed concern that the county could not afford the cost.

Seek independent inspections of Shoreham

By MICHAEL HANRAHAN

Two Suffolk County legislators yesterday called upon the county to hire independent consulting firms to inspect the safety systems at the Shoreham nuclear energy plant. The lawmakers estimated the costs at \$3 million to \$5 million, but contended that the money could be recovered later from the Long Island Lighting Co. in the courts.

Legislator Gregory Blass (R-Jamesport) said the county cannot reasonably rely on the federal Nuclear Regulatory Commission to conduct a safety systems examination since the NRC has certified every operating plant in the nation, including Three Mile Island and others that were later shut down due to operational mishaps. Legislator Wayne Prospect (D-Dix Hills) submitted a resolution to hire the MHB consulting firm of San Jose, Calif., to direct the inspection teams.

Blass said that since the NRC has accelerated the schedule of Shoreham licensing hearings, time is of the essence for the county to act. He declared, "The

NRC cannot be relied upon as impartial or even competent." The East End representative said that if the county's independent study finds inadequacies in the safety systems, Suffolk could in turn block the NRC's licensing procedures in the federal courts.

"The NRC is an administrative agency and as such is subject to the determinations of the courts," noted Blass.

PROSPECT CHARGED THAT LILCO had attempted to thwart attempts to have independent inspections which the utility would be required to pay for. He said LILCO had attempted to confuse the issue by declaring that such an inspection would be a brick-by-brick examination of the construction of the plant. "We do not expect to dismantle the plant," said Prospect. "We are demanding an examination of the 17 to 22 safety systems at Shoreham."

Prospect said, "We certainly have good reason to question the quality of work at Shoreham. Serious design and construction defects are turning up daily at dozens of U.S. nuclear plants."

Both legislators contended that, when the county attempts to recover the costs of the independent

inspections, LILCO should be required to pay the costs out of shareholders' profits rather than from the ratepayers. However they gave no details on how the differentiation could be established, particularly since the ratepayers are expected to pay the costs for the Shoreham plant.

Blass and Prospect both said that they would seek to have the full County Legislature vote today to hire Babylon attorney Irving Like to join in the legal representation of the county in the licensing hearings.

SUFFOLK HAD HIRED the firm of Kirkpatrick, Lockhart, Johnson & Hutchinson, of Pittsburgh, Pa., last month after County Executive Peter Cohalan rejected a resolution passed by the Legislature that authorized the hiring of Like as chief counsel.

Prospect charged that at the time the Pittsburgh firm was hired a commitment was made by Cohalan's office that Like would be retained in at least an advisory capacity.

"The administration has so far reneged on that commitment," said Prospect.

DAILY NEWS 3/23/82

Suffolk Passes Plan to Inspect Shoreham Plant

By Rick Brand
and Robert Fresco

Hauppauge—To the cheers of nuclear power opponents, the Suffolk Legislature voted unanimously yesterday to hire independent experts to inspect the the Shoreham nuclear plant for safety before the reactor is allowed to go into operation.

The controversial measure could lead to a legal battle between the county and the plant's owner, the Long Island Lighting Co. The county claims it should inspect the plant to guarantee public safety. LILCO claims it has the power to decide whether to allow outside inspectors on its construction site, company spokeswoman Jan Hickman said.

The inspection could also mean a year's delay in the opening of the plant—now scheduled to begin commercial operation in March, Hickman said. That delay could add \$40 million a month—or about \$500 million—to Shoreham's present \$2.49-billion cost, Hickman said.

"You can't trade dollars for the safety

of the community," Deputy County Executive Howard DeMartini said. When asked what the county would do if LILCO denied access for the inspection, he said, "We're prepared to do anything to move ahead. I think we will exhaust whatever legal remedies are necessary."

Yesterday's vote marked the first time a local community has authorized an inspection of a nuclear plant apart from licensing procedures, which, by law, must be conducted by the federal Nuclear Regulatory Commission. "I can't remember any case like this," Clare Miles, an NRC spokeswoman, said.

The passage followed two hours of public statements in support of the resolution. When the measure passed, about noon, dozens of those supporters rose and cheered. The action marked the end of a lobbying campaign that began in 1979, Nora Breedes of St. James, executive coordinator of the Shoreham Opponents Coalition, said.

"I'm delighted that the Suffolk County Legislature has recognized its responsibility

—Continued on Page 23

4-18-82 Tuesday

Shoreham Inspection Bill OK'd

—Continued from Page 3
bility in protecting the health and safety of the 1.3 million people of the county," said Legis. Wayne Prospect (D-Dix Hills) coauthor of the measure.

But Hickman criticized the county for making the plant what she called "a political football." She said the kind of inspection the county wants is "physically impossible," because construction is 90 per cent complete.

She added, "We'd have to blow off the concrete from the pipe and take a can opener to get to the widgets and valves already installed. We have always complied with every NRC safety regulation and have exceeded most of them."

The legislature's move was one of several actions yesterday involving LILCO's nearly completed 809-megawatt nuclear power plant:

- The NRC held a hearing to allow members of the public to speak about the plant. A second session is scheduled for the Suffolk County Center in Hauppauge at 7 PM this evening.

- County Executive Peter F. Cohalan took a two-hour tour of the Shoreham plant and repeated his earlier call for a complete physical inspection. "We want to know all the answers before the plant goes on line," Cohalan said.

- Federal Judge Jacob Mishler in Uniondale reserved decision on a move to form a joint LILCO management-shareholder committee to oversee completion of the Shoreham plant.

- In a morning press conference, the Shoreham Opponents Coalition charged that there were "dangerous deficiencies" in the plant's construction. One of those charges involved alterations in "radiographs" of welds in pipe supplied by a California firm—Associated Pipe and Engineering Corp.

The alterations were found last fall in a nuclear plant being built near Olympia, Wash. The NRC said that the pipe still met safety standards. However, it sent bulletins to the owners of 14 other plants under construction, including

Shoreham and Nine Mile Point 2 upstate, of which LILCO is part owner, asking them to check pipe supplied by the same firm. Hickman said LILCO was reviewing the matter.

The measure passed by the legislature authorizes Cohalan to enter into contracts for a complete physical inspection of Shoreham. A companion resolution authorized \$100,000 to begin the study, which is expected to cost at least \$3 million. Prospect said it could begin in three or four months and would take an additional 14 months to do.

Last month, the legislature hired attorney Irving Like, a veteran LILCO opponent, and authorized him to sue LILCO as a way of compelling a physical inspection of Shoreham. However, Cohalan said yesterday he hoped LILCO would agree to the inspection voluntarily. "If the county wants to propose an inspection, we're always happy to talk," Hickman said, but only as part of negotiations between LILCO and the county over all issues involving the plant.

ALFONSE M. D'AMATO
NEW YORK

Bill Clerk -
Shoreham

United States Senate

WASHINGTON, D.C. 20510

April 30, 1982

Ms. Irene J. Pendzick
Town Clerk
Town of Riverhead
Town Hall
200 Howell Avenue
Riverhead, New York 11901

Dear Ms. Pendzick:

Thank you for providing me with a copy of your resolution demanding an active role in the Committee which has the responsibility to develop an evacuation plan for Suffolk County for the Shoreham Nuclear power plant.

I have taken the liberty of forwarding your resolution to the Nuclear Regulatory Commission which is conducting hearings on the licensing of the plant.

Again, thank you for contacting me.

Sincerely,

Alfonse D'Amato
United States Senator

AD:dgr

4-30-82

TOWN OF RIVERHEAD



IRENE J. PENDZICK
TOWN CLERK

1982 APR 19 PM 6:23

April 8, 1982

Honorable Alphonse D'Amato
U.S. Senate
Washington, D.C. 20515

Dear Senator D'Amato:

Enclosed herewith please find a certified copy of a resolution duly adopted by the Riverhead Town Board at a special scheduled meeting held March 23, 1982, Demanding an Active Role in the Committee which has the responsibility to develop an Evacuation Plan for Suffolk County re: Shoreham Nuclear Generating Facility.

Sincerely,

Irene J. Pendzick

Irene J. Pendzick, Town Clerk

IJP/vlv
Enc.

WHEREAS, the Shoreham Generating Facility is scheduled to go on line in 1982;

WHEREAS, the Town Board is concerned about the possibility of a major catastrophic accident at the plant, and the danger to citizens residing within a 10-mile radius from the plant, and

WHEREAS, the Town Board is desirous of protecting the health and welfare of its citizens.

NOW, THEREFORE, be it

RESOLVED, that the Town Board expresses its concern regarding the potential for an accident at the Shoreham Facility, and

FURTHER BE IT RESOLVED, that the Town Board demands an active role in the committee which has the responsibility to develop an evacuation plan for the county,

FURTHER BE IT RESOLVED, that a certified copy of this resolution be forwarded to the representatives of Suffolk County in the United States Senate, New York State Senate, and New York State Assembly, and the Nuclear Regulatory Commission.

Generating Facility is

tant of the fact that a possibility would present a danger to citizens residing within the 10-mile radius from

town of Riverhead is

and welfare of its

the Town of Riverhead is concerned about the potential for an accident

Town Board demands an active role in the committee which has the responsibility to develop an evacuation plan for the county,

certified copy of this resolution be forwarded to the representatives of Suffolk County in the United States Senate, New York State Senate, and New York State Assembly, and the Nuclear Regulatory Commission.

STATE OF NEW YORK,
COUNTY OF SUFFOLK,
TOWN OF RIVERHEAD.

ss: }

THIS IS THE
head, County of Suffolk

now on file in this office
on the 23rd day of
correct transcript of
and of the whole thereof

IN WITNESS WHEREOF
the said Town of Riverhead

undersigned, Town Clerk of the Town of Riverhead, have compared the foregoing copy of

resolution with the original resolution which was duly adopted

1982, and that the same is a true and correct copy of the original resolution.

hereunto set my hand and the official seal of the Town of Riverhead on the 23rd day of April 1982.

WHEREAS, the Shoreham Nuclear Generating Facility is scheduled to go on line in 1983, and

WHEREAS, the Town Board is cognizant of the fact that a major catastrophic accident at that facility would present a danger to citizens residing outside of the 10-mile radius from the plant, and

WHEREAS, the Town Board of the Town of Riverhead is desirous of protecting the health safety and welfare of its citizens.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead expresses its concern regarding the potential for an accident at the Shoreham Facility, and

FURTHER BE IT RESOLVED, that the Town Board demands an active role in the committee which has the responsibility to develop an evacuation plan for Suffolk County,

FURTHER BE IT RESOLVED, that a certified copy of this resolution be forwarded to the representatives of Suffolk County in the United States Senate, United States Congress, New York State Senate, and New York State Assembly, and the Nuclear Regulatory Commission.

STATE OF NEW YORK,
COUNTY OF SUFFOLK,
TOWN OF RIVERHEAD, } ss.:

THIS IS TO CERTIFY that I, the undersigned, Town Clerk of the Town of Riverhead, County of Suffolk, New York, have compared the foregoing copy of

A resolution
with the original resolution

now on file in this office and which was duly adopted on the 23rd day of March 1982, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the said Town of Riverhead, this 12th day of April 19 82

THOMAS J. DOWNEY
2ND DISTRICT, NEW YORK

303 CANNON HOUSE OFFICE BUILDING
TELEPHONE: (202) 225-3338

DISTRICT OFFICE:
4 UDALL ROAD
WEST HEMP, NEW YORK 11798
TELEPHONE: (315) 641-8777

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEE ON
WAYS AND MEANS
SUBCOMMITTEE ON TRADE
COMMITTEE ON THE BUDGET
SELECT COMMITTEE ON AGING

March 29, 1982

The Honorable Harold Denton
Director of the Office of
Nuclear Reactor Regulation
The Nuclear Regulatory Commission
1717 H Street, NW
Washington, D.C. 20555

Dear Mr. Denton:

On March 15, the Nuclear Regulatory Commission gave the Long Island Lighting Company (LILCO) thirty days to develop an independent audit program for Shoreham. Initially, LILCO refused to submit to an independent audit. In the fall of last year, LILCO proposed a small scale audit of \$150,000. An acceptable rate offered by other utilities for a minimum standard audit is \$1 million. In view of the controversy surrounding the safety and soundness of Shoreham, LILCO's actions do not inspire confidence.

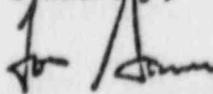
Therefore, in the interest of both public safety and public peace of mind, an independent audit of a far greater magnitude than LILCO has proposed should be required for Shoreham. To be effective, such an audit should be on the magnitude of the multi-million dollar Diablo Canyon reactor audit. To be complete, such an audit must address several crucial needs. Among them, the need for a detailed review of Shoreham's design integrity and safety; the need for a detailed review of LILCO's quality assurance/quality control programs; and the need for a penetrating review and inspection of Shoreham's critical safety systems.

An audit of this nature will best serve the public interest and better protect the public safety. A mere surface review, on the other hand, runs counter to public interest, and imperils public safety.

Thus, I support an expanded, more extensive and better funded independent audit. ~~I also support the Suffolk County Legislature's resolution to fund its own physical inspection.~~ It is imperative that these actions necessary to the safety of all Long Islanders be taken as soon as possible.

82040319XA

Sincerely,



THOMAS J. DOWNEY
Member of Congress

TJD:cb/sas

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
LONG ISLAND LIGHTING COMPANY) Docket No.(s) 50-322
)
(Shoreham, Unit 1))
)
)

SERVICE LIST

Administrative Judge Lawrence Brenner
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Peter A. Morris
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
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Dr. James L. Carpenter
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