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

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June 26, 1985

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BRANCH

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

Herbert H. Brown, Esq.
Kirkpatrick & Lockhart
8th Floor
1900 M Street, N.W.
Washington, D.C. 20036

Re: LONG ISLAND LIGHTING COMPANY
(Shoreham Nuclear Power Station,
Unit 1)
Docket No. 50-322 OL

Dear Messrs. Ashare and Brown:

As you are aware, the Appeal Board has recorded its expectation that a definitive resolution of the current representation controversy will be obtained from a competent authority prior to August 12, 1985. (See the Board's June 18, 1985 order.) It appears that that controversy is being treated as wholly independent of the issue of the validity of Suffolk County Executive Order No. 1-1985 and, thus, will not be resolved in the current proceeding in the New York courts involving the executive order. (See June 20, 1985 order of the Appellate Division of the New York State Supreme Court, appended to the Long Island Lighting Company's June 24, 1985 filing with the Licensing Board in the emergency planning phase of this proceeding.) Presumably, therefore, other steps have been instituted to procure an expeditious and controlling determination on the representation matter.

In the event that, by August 12, the representation matter has not received a definitive resolution, the Appeal Board will require all attorneys purporting to represent Suffolk County before the Nuclear Regulatory Commission to provide it with a detailed statement respecting (1) what measures were taken to obtain such a resolution; and (2) when those measures were instituted.

Sincerely,

C. Jean Shoemaker
Secretary to the
Appeal Board

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cc: Donald P. Irwin, Esq.
Robert G. Perlis, Esq.
Docketing and Service Branch

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