



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

DOCKETED
USNRC

July 2, 1985

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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Lawrence Coe Lanpher, 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 Mr. Lanpher:

This will confirm my telephone conversation with you this morning with respect to the notice of appeal filed yesterday from LBP-85-18. As I informed you, the Appeal Board does not regard that notice as triggering the 30-day period provided by 10 CFR 2.762(b) for the filing of Suffolk County's brief in support of its appeal. Rather, that period commenced to run on June 17, the date upon which a notice of appeal from LBP-85-18 was filed on Suffolk County's behalf by the County Attorney. Thus, whether filed by the County Attorney or your firm, the County's brief is now due on July 17.

According to our records, a notice of appeal from LBP-85-18 was not previously filed on behalf of the State of New York. This being so, the 30-day period for the filing of the State's brief began to run upon the filing of the notice of appeal on its behalf yesterday and, consequently, that brief will be due on July 31.

Any motion for an extension of time for the filing of the County's brief (whether submitted by the County Attorney or your firm) should be made expeditiously and should reflect the positions of all other parties on the motion. Additionally, if the extension motion is submitted by your firm, the Board will wish to be apprised of the position of the County Attorney on it; similarly, if the County Attorney seeks an extension, his motion should contain a statement of your firm's position. Still further, the Board will wish to be informed in any extension motion as to whether (assuming

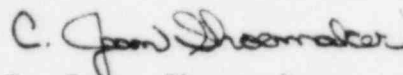
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the representation controversy has not been resolved in the meantime) it can expect to receive one, or instead two, briefs in support of the County's appeal.

Sincerely,



C. Jean Shoemaker
Secretary to the
Appeal Board

cc: Martin Bradley Ashare, Esq.
Fabian G. Palomino, Esq.
Donald P. Irwin, Esq.
Robert G. Perlis, Esq.
Docketing and Service Branch