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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Appeal Board

SECRETARY
DOCKETING & SERVICE
BRANCH

_____)
In the Matter of)
)
LONG ISLAND LIGHTING COMPANY)
)
(Shoreham Nuclear Power Station,)
Unit 1))
_____)

Docket No. 50-322-OL-3
(Emergency Planning)

SUFFOLK COUNTY, STATE OF NEW YORK,
AND TOWN OF SOUTHAMPTON MOTION
FOR LEAVE TO FILE REPLY BRIEFS

Pursuant to this Board's Order of May 15, 1985, Suffolk County, the State of New York and the Town of Southampton hereby seek leave to file reply briefs to respond to certain matters raised in (1) LILCO's Brief in Opposition to the Intervenors' Appeal of the ASLB's Partial Initial Decision on Emergency Planning, December 13, 1985, and the NRC Staff Brief in Opposition to "Suffolk County, State of New York, and Town of Southampton Brief on Appeal of Licensing Board April 17, 1985 Partial Initial Decision on Emergency Planning," December 23, 1985; and, (2) LILCO's Brief in Opposition to Intervenors' Appeal of the Nassau Coliseum and Guard Issues, December 11, 1985, and the NRC Staff Brief in Response to Intervenors' Appeal of Licensing Board's August 26, 1985 Concluding Partial Initial Decision on Emergency Planning, December 23, 1985.¹

¹ That Order set forth various dates for filings, which were extended by subsequent orders. Consistent with the schedule in the May 15 Order,
(footnote continued)

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The briefs of LILCO and the NRC Staff contain mischaracterizations and misstatements which require correction, and some arguments as to which Appellants believe a written response, prior to oral argument, would assist the Appeal Board. Accordingly, Appellants seek leave to file the two reply briefs attached hereto. Since the Appeal Board asked for submittal of the reply briefs at the same time any motion is filed, Appellants do not set forth in this Motion the precise matters as to which Appellants need to respond. Those matters are, of course, set forth in the reply briefs.

Appellants address in their reply briefs only a limited number of the arguments made by LILCO and the Staff. Many of the LILCO and Staff arguments were already addressed in Appellants' initial briefs filed on October 23 and November 6, 1985; those not already covered or discussed in the reply briefs submitted herewith will be addressed at oral argument. The fact that only selected issues are covered in the attached reply briefs does not indicate that Appellants agree with the characterizations, arguments, or responses made by LILCO or the Staff with respect to matters not addressed therein.

(Continued from previous page)
This Motion is being served two weeks after the filing of the NRC Staff's briefs. See May 15 Order at 2, n.3.

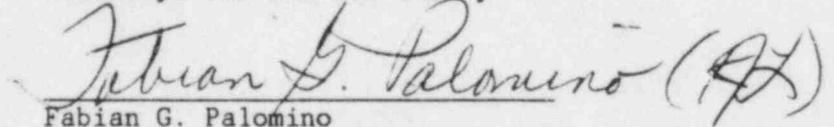
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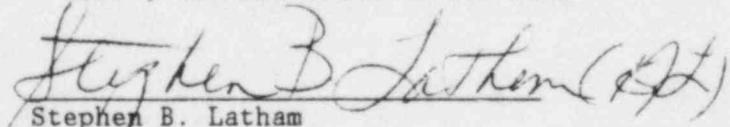
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January 6, 1986