JAMES G DI STEFANO

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TELEPHONE (315) 471 3323

STATE TOWER BUILDING SYRACUSE NY 13202

August 4, 1988

Director, Office of Administration Director, Office of Public Affairs Nuclear Regulatory Commission Washington, D.C. 20555

Re: Freedom of Information License issued for Nire Mile Two, Oswego County, New York State FOTA-88-420 Request FOTA-88-420 Rec'd 8-10-88

Dear Sirs:

Please advise as to how I can secure the names of the license(es) on the instant project, and the names of the owners.

It is my understanding that a license was issued by NRC to Niagara Mohawk Power Corporation and that a consortium of Public Utilities in New York, are directly involved in the project, including Rochester Gas and Electric Corp., New York State Electric and Gas, Long Island Lighting Company and Central Hudson Gas and Electric.

If there are any fees or charges, please advise and we will be happy to forward them to you.

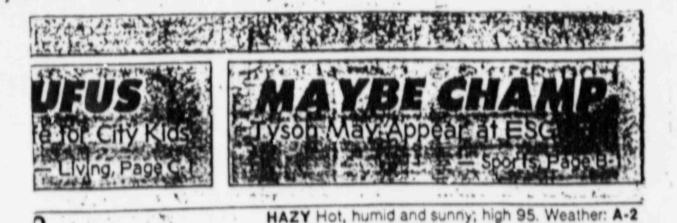
Whatever immediate attention you can render will be most appreciated.

Thank you.

James & Distepano James

JGD/amw

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construction.

NiMo, which initiated the lawsuit on behalf of itself and the plant's four other co-owners, said the action was taken to protect the interests of their stockholders and ratepayers.

Initially, the 1,080-megawatt, boiling water reactor was to cost about \$400 million and be completed in 1977. The plant officially was completed in March.

Monday's action marks the second major legal action NiMo and its Nine Mile 2 partners have taken against contractors involved in the plant's trouble-plagued construction.

In April 1987, the co-owners started a \$500 million lawsuit against the manufacturer of critical safety valves that had to be replaced when they failed leak-rate tests. That case is pending.

In a prepared statement, Stone & Webster branded the Nine Mile 2 lawsuit "an unfounded and unjustified attempt by Niagara Mohawk and the other owners to coerce Stone & Webster to share in the settlement they made in 1986 with the New York State Public Service Commission." That agreement, in effect, forced the utilities to take a more than \$2 The utûities' case against Stone & Webster/A-3.

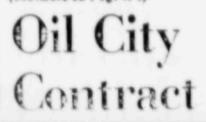
billion write-off on the plant's costs.

ITT Fluid Power Corp. Vice President and General Counsel Leon Krasinski declined comment on the suit Monday.

NiMo, which oversaw construction of Nine Mile 2 and is its operator, owns a 41 percent stake in the plant. Smaller shares are held by Long Island Lighting Co., New York State Electric & Gar Corp., Rochester Gas and Electric Corp. and Central Hudson Gas & Electric Corp.

In fall 1986, NiMo and the other plant cotenants ended a regulatory investigation into the prudence of Nine Mile 2 spending by agreeing not to collect construction costs above \$4.16 billion from their customers. Instead, the companies' common stockholders took the loss. The companies did not acknowledge any impredence in making the settlement.

La., May, a stockholder sued NiMo's top directors and officers on behalf of other stockholders, seeking the \$1.15 billion the company (Continued on Page A-3)



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