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James P. Gleason, Chairman
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Mr. Frederick J. Shon
Administrative Judges
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Gentlemen:

This matter treats two issues: EBS stations and hearing scheduling.

1. EBS

LILCO confirms a recent development, initially reported in LILCO's written "realism" testimony filed May 6, 1988, regarding LILCO's Emergency Broadcast System (EBS).

WPLR-FM in New Haven, Connecticut currently is the CPCS or "trigger" station in LILCO's EBS. WPLR-FM has assured LILCO that it will continue as the "trigger" station through the licensing proceedings. WPLR has recently informed LILCO, however, that once LILCO obtains a full power operating license for the Shoreham Nuclear Power Station (SNPS), WPLR-FM will remain in LILCO's EBS as a member station (referred to in our realism testimony as a "primary" station) only. As a member station, WPLR will continue to act as the station triggering the tone alert radios in the EBS. However, it will not act thereafter as the "trigger" station for the radio station in the EBS.

Because WPLR will remain a part of the EBS both before and after licensing, with respect to the evidentiary hearings on remanded issues which are set to begin May 16, 1988, LILCO believes it is appropriate and desirable to proceed with the hearing on the admitted EBS issues regarding the coverage of LILCO's EBS, including WPLR. Once LILCO determines how any restructuring of its EBS will be implemented, we will promptly so inform this Board and all parties.

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2. Hearing Schedule

LILCO also informs the Board that the parties have been discussing a hearing schedule for the remanded school bus driver, hospital ETE's, and EBS issues. LILCO proposes that the school bus driver issue be heard first, beginning May 16 and ending May 19 or 20; that testimony on the hospital ETE's be heard May 23-24 and 27 (the only day the NRC's witness will be available); and that the EBS issue be heard May 25-26 and possibly May 31, if the Board decides to hear the FEMA witness in Washington, D.C. Counsel for both FEMA and the NRC have agreed to this schedule.

The Intervenors have proposed a schedule beginning May 17 and continuing five weeks through June 10 with EBS being heard first, hospital ETE's next, and the school bus driver issue being heard last. Intervenors have also stated that they would agree to LILCO's school bus driver witnesses being heard first. However, they have been unwilling to agree to compress their schedule proposals to fit into anything less than five weeks. LILCO believes that five weeks of hearings is plainly excessive for the issues now before this Board.

Some weeks ago, in response to the Board's order setting May 16 as the beginning of the hearing, LILCO told its school bus driver witnesses to hold open May 16-17 for hearings. LILCO's witnesses have done so and are prepared to proceed on May 16 on the school bus driver issue. LILCO's witnesses on EBS and ETE's are prepared to proceed the second week of hearings, beginning on May 23.

The short of the matter is that LILCO and the Intervenors have not been able to agree on an order of issues for the hearing, the appropriate length of the hearing, or other matters. We will be prepared to discuss this matter at tomorrow's prehearing conference if the Board wishes.

Sincerely yours,

Donald P. Irwin

Donald P. Irwin
James N. Christman
K. Dennis Sisk

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