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September 13, 1988

BY HAND

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

Re: Exercise Litigation/OL-5 Docket

Mr. Chairman and Members of the Board:

Enclosed is a motion, filed today with the Appeal Board, which seeks to have a Licensing Board designated to hear matters related to LILCO's recent exercise.

As stated in the motion, this Board does not have jurisdiction over exercise matters. Thus, this Board may not consider the NRC Staff's September 9 Motion For Schedule For Litigation of the June 1988 Exercise unless and until this Board receives appropriate jurisdiction pursuant to NRC procedures.

Respectfully submitted,

Christopher M. McMurray
Christopher M. McMurray

Enclosure

cc: All Parties

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