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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

John H. Frye, III, Chairman
Dr. Oscar H. Paris
Mr. Frederick J. Shon

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In the Matter of

LONG ISLAND LIGHTING COMPANY

(Shoreham Nuclear Power Station,
Unit 1)

Docket Nos. 50-322-OL-5
(EP Exercise)

(ASLBP No. 86-533-01-OL)

November 13, 1986

MEMORANDUM AND ORDER

All parties to this proceeding have expressed confusion with respect to the rulings on contentions contained in the October 3 Prehearing Conference Order, and counsel for LILCO and Intervenor have expressed differing views of the Board's rulings. Additionally, counsel for LILCO indicated in his October 30 motion for leave to respond that he was compiling a "Revised Standard Version" of the contentions which would be attached to his response to the motions for reconsideration of the Board's Prehearing Conference Order.

Because the so-called "Revised Standard Version" of contentions was not received with LILCO's responses, we inquired as to its status and were informed that counsel had withheld it pending a ruling on the various objections to specific rulings on contentions.

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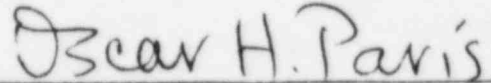
The confusion concerning the rulings on contentions must be eliminated. Further, it must be eliminated prior to a ruling on specific objections. Consequently, we are directing counsel for LILCO to file and serve his "Revised Standard Version" immediately. Any other party may respond within five days of service. Service is to be accomplished by express mail or a more rapid means. On receipt of the responses, we will rule on the specific objections and promulgate a final version of the admitted contentions.¹

This Memorandum and Order in no way stays the discovery schedule set forth in the Prehearing Conference Order or the deadlines for responding to pending motions.

¹ Intervenor's have objected that this Board is not competent to pass on objections to the Margulies Board's rulings or to discern its intent. This objection is overruled. No limitations have been placed on this Board's authority in this portion of this proceeding, nor would such limitation be appropriate.

It is so ORDERED.

ATOMIC SAFETY AND LICENSING BOARD



Dr. Oscar H. Paris
ADMINISTRATIVE JUDGE



Mr. Frederick J. Shon
ADMINISTRATIVE JUDGE



John H. Frye, III, Chairman
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland
this 13th day of November, 1986.