

4396

DOCKETED  
USNR

'87 SEP 16 P1:35

September 14, 1987UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSIONBefore the Atomic Safety and Licensing Board

In the Matter of )

LONG ISLAND LIGHTING COMPANY )

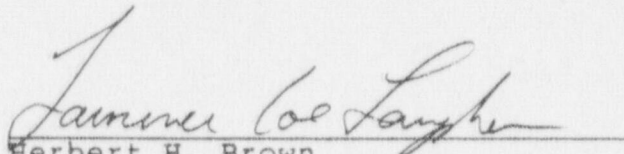
(Shoreham Nuclear Power Station,  
Unit 1) )Docket No. 50-322-OL-5  
(EP Exercise)SUFFOLK COUNTY, THE STATE OF NEW YORK, AND THE  
TOWN OF SOUTHAMPTON RESPONSE TO LILCO TIME EXTENSION MOTION

LILCO seeks 5 additional business days to file Exercise reply findings. This is a matter which the Board must decide in the exercise of its discretion. The Governments submit, however, that LILCO has failed to state persuasive grounds for the relief requested. The length of the Staff brief is not surprising given the many issues which were litigated. Further, the Staff's position regarding several deficiencies is consistent with the FEMA Report and testimony. Thus, this also should have been no surprise.

The Governments note that the Staff and LILCO have been granted substantial time to respond to the Governments' findings: the Staff had 25 days (August 17 - September 11), and LILCO will have 32 or 39 days (August 17 until September 18 or 25). Depending upon the substance of the Staff and LILCO findings (and regardless whether the Board grants LILCO's motion), it may be necessary for the Governments to seek leave to file a reply. If the Governments believe they must reply, they will seek leave promptly after receipt and review of the Staff and LILCO findings.

Respectfully submitted,

Martin Bradley Ashare  
Suffolk County Attorney  
Building 158 North County Complex  
Veterans Memorial Highway  
Hauppauge, New York 11788



Herbert H. Brown  
Lawrence Coe Lanpher  
Michael S. Miller  
KIRKPATRICK & LOCKHART  
1800 M Street, N.W.  
South Lobby - 9th Floor  
Washington, D.C. 20036-5891

Attorneys for Suffolk County

Fabian G. Palomino (JCY)

Fabian G. Palomino  
Special Counsel to the Governor  
of the State of New York  
Executive Chamber, Room 229  
Capitol Building  
Albany, New York 12224

Attorney for Mario M. Cuomo,  
Governor of the State of New York

Stephen B. Latham (JCY)

Stephen B. Latham  
Twomey, Latham & Shea  
P.O. Box 398  
33 West Second Street  
Riverhead, New York 11901

Attorney for the Town of  
Southampton



DOCKETED  
USNRC

September 14, 1987

'87 SEP 16 P1:35

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

OFFICE OF GENERAL COUNSEL  
DOCKETED  
BRANCH

In the Matter of )

LONG ISLAND LIGHTING COMPANY )

(Shoreham Nuclear Power Station,  
Unit 1) )

Docket No. 50-322-OL-5  
(EP Exercise)

CERTIFICATE OF SERVICE

I hereby certify that copies of SUFFOLK COUNTY, THE STATE OF NEW YORK, AND THE TOWN OF SOUTHAMPTON RESPONSE TO LILCO TIME EXTENSION MOTION have been served on the following this 14th day of September 1987 by U.S. mail, first class, except as otherwise noted.

John H. Frye, III, Chairman\*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Mr. Frederick J. Shon\*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Oscar H. Paris\*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

William R. Cumming, Esq.  
Spence W. Perry, Esq.  
Office of General Counsel  
Federal Emergency Management Agency  
500 C Street, S.W., Room 840  
Washington, D.C. 20472

Anthony F. Earley, Jr., Esq.  
General Counsel  
Long Island Lighting Company  
175 East Old Country Road  
Hicksville, New York 11801

Ms. Elisabeth Taibbi, Clerk  
Suffolk County Legislature  
Suffolk County Legislature  
Office Building  
Veterans Memorial Highway  
Hauppauge, New York 11788

Mr. L. F. Britt  
Long Island Lighting Company  
Shoreham Nuclear Power Station  
North Country Road  
Wading River, New York 11792

Ms. Nora Bredes  
Executive Director  
Shoreham Opponents Coalition  
195 East Main Street  
Smithtown, New York 11787

Mary M. Gundrum, Esq.  
New York State Department of Law  
120 Broadway, 3rd Floor  
Room 3-116  
New York, New York 10271

MHB Technical Associates  
1723 Hamilton Avenue  
Suite K  
San Jose, California 95125

Martin Bradley Ashare, Esq.  
Suffolk County Attorney  
Bldg. 158 North County Complex  
Veterans Memorial Highway  
Hauppauge, New York 11788

Mr. Jay Dunkleburger  
New York State Energy Office  
Agency Building 2  
Empire State Plaza  
Albany, New York 12223

Joel Blau, Esq.  
Director, Utility Intervention  
N.Y. Consumer Protection Board  
Suite 1020  
Albany, New York 12210

W. Taylor Reveley, III, Esq.\*\*  
Hunton & Williams  
P.O. Box 1535  
707 East Main Street  
Richmond, Virginia 23212

Stephen B. Latham, Esq.  
Twomey, Latham & Shea  
33 West Second Street  
Riverhead, New York 11901

Docketing and Service Section  
Office of the Secretary  
U.S. Nuclear Regulatory Comm.  
1717 H Street, N.W.  
Washington, D.C. 20555

Hon. Michael A. LoGrande  
Suffolk County Executive  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, New York 11788

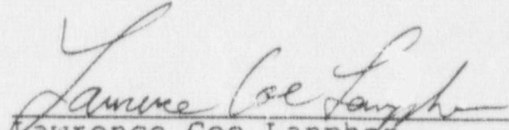
Dr. Monroe Schneider  
North Shore Committee  
P.O. Box 231  
Wading River, New York 11792

Fabian G. Palomino, Esq.  
Richard J. Zahnleuter, Esq.  
Special Counsel to the Governor  
Executive Chamber, Rm. 229  
State Capitol  
Albany, New York 12224

Edwin J. Reis, Esq.  
U.S. Nuclear Regulatory Comm.  
Office of General Counsel  
Washington, D.C. 20555

David A. Brownlee, Esq.  
Kirkpatrick & Lockhart  
1500 Oliver Building  
Pittsburgh, Pennsylvania 15222

Mr. Stuart Diamond  
Business/Financial  
NEW YORK TIMES  
229 W. 43rd Street  
New York, New York 10036

  
Lawrence Coe Lanpher  
KIRKPATRICK & LOCKHART  
1800 M Street, N.W.  
South Lobby - 9th Floor  
Washington, D.C. 20036-5891

\_\_\_\_\_  
\*  
By Hand

\*\*  
By Telecopy