

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judge:

Charles Bechhoefer
Presiding Officer

In the Matter of

POWER AUTHORITY OF THE STATE OF
NEW YORK and ENTERGY NUCLEAR
FITZPATRICK LLC, ENTERGY NUCLEAR
INDIAN POINT 3 LLC, and ENTERGY
NUCLEAR OPERATIONS, INC.(James A. FitzPatrick Nuclear Power Plant
and Indian Point Nuclear Generating Unit No.
3)Docket Nos. 50-333-LT
and 50-286-LT
(consolidated)

ASLBP No. 01-785-02-LT

March 7, 2001

MEMORANDUM AND ORDER
(Corrected Version, Response to Motion to Strike)

In my March 6, 2001 Memorandum and Order, I provided that CAN must file its response to the Licensees' March 5, 2001, Motion to Strike Portions of CAN's Statement of Position and Testimony on Issue 3 no later than 11:59 p.m. on Sunday, March 11, 2001. I also provided that, at the outset of the oral hearing on March 14, I will hear oral argument from both parties concerning the motion. The oral hearing date specified should have been March 13, 2001 (a typographical error). In addition, the oral argument will take place immediately prior to the hearing on Contention 3, which will commence following the hearing on Contention 2.

IT IS SO ORDERED.

/RA/

Charles Bechhoefer, Presiding Officer
ADMINISTRATIVE JUDGE

Rockville, Maryland

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
POWER AUTHORITY OF THE STATE OF)	
NEW YORK, ET AL.)	
)	Docket Nos. 50-333-LT and
(James A. FitzPatrick Nuclear Power Plant)	50-286-LT
and Indian Point Nuclear Generating)	(consolidated)
Unit No. 3))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (CORRECTED VERSION, RESPONSE TO MOTION TO STRIKE) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Charles Bechhoefer, Presiding Officer
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Steven R. Hom, Esquire
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Gerald C. Goldstein, Esquire
Arthur T. Cambouris, Esquire
David E. Blabey, Esquire
The Power Authority of the State of New York
1633 Broadway
New York, NY 10019

Timothy L. Judson
CNY-Citizens Awareness Network
140 Bassett St.
Syracuse, NY 13210

Stewart M. Glass, Esquire
Senior Assistant County Attorney
Westchester County
Dept. of Law, Room 600
148 Martine Avenue
White Plains, NY 10601

Docket Nos. 50-333-LT and 50-286-LT
(consolidated)
LB MEMORANDUM AND ORDER
(CORRECTED VERSION, RESPONSE
TO MOTION TO STRIKE)

Joseph R. Egan, Esquire
Egan & Associates, P.C.
1500 K Street, NW
Suite 200
Washington, DC 20005

Thomas F. Wood, Esquire
Town of Cortlandt
153 Albany Post Road
Buchanan, NY 10511

Jay E. Silberg, Esquire
Shaw Pittman
2300 N Street, NW
Washington, DC 20037-1128

Douglas E. Levanway, Esquire
Wise, Carter, Child and Caraway
401 E. Capitol St., Suite 600
P.O. Box 651
Jackson, MS 39205-0651

George E. Sansoucy, P.E.
260 Ten Rod Road
Rochester, NH 03867

John Valentino, Esquire
Green & Seifter
One Lincoln Center, 9th Floor
Syracuse, NY 13202

Nancy T. Bocassi
Hendrick Hudson School District
61 Trolley Road
Montrose, NY 10548

Deborah Katz, Executive Director
Citizens Awareness Network
P O Box 83
Shelburne Falls, MA 01370

John M. Fulton, Esquire
Entergy
600 Rocky Hill Road
Plymouth, MA 02360

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 7th day of March 2001