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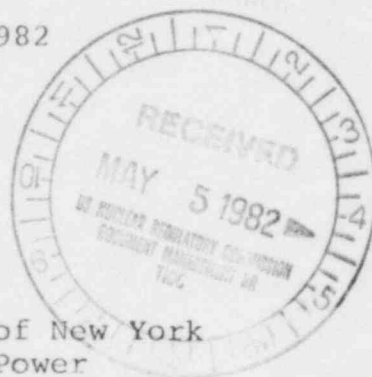
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DOCKETED
MAY 5 1982
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May 3, 1982

Louis J. Carter, Chairman
Oscar H. Paris, Member
Frederick J. Shon, Member
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



Subject: Consolidated Edison Company of New York
(Indian Point, Unit No. 2), Power
Authority of the State of New York
(Indian Point, Unit No. 3)
Docket Nos. 50-247-SP, 50-286-SP

Gentlemen:

Last Thursday I received your Memorandum (To Clarify the Record) in which you took UCS/NYPIRG to task for quoting only part of a statement made by Dr. Paris and for citing the statement to the wrong transcript page, thus making it difficult to find the passage. As the person responsible for choosing the language that we quoted, I feel an explanation is in order.

At the request of NYPIRG Counsel in New York, I personally searched the transcript of the prehearing conference for the reference in question. I debated whether to quote the entire sentence or simply the language that I eventually chose. I concluded that we could use the shorter version because there would be no difference in meaning. Since all of the UCS/NYPIRG contentions are directed at the Commission's questions, they meet the qualifying language. That being the case, I felt that language unnecessary.

Although I did make that substantive judgment, my decision to provide the partial quote was no doubt also influenced by the fact that I was providing the information by telephone to New York since our only copy of the transcript was in my office. This is a minor example of the sort of confusion that could be avoided in Commission proceedings if free transcripts were provided to all intervenors. NYPIRG would then have had a copy and would not have had the impediment of telephone communication playing a role in the choice of language.

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Atomic Safety and Licensing Board

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While we do not believe that we altered the meaning of Dr. Paris' statement in context, we will be particularly careful in the future, and we will err on the side of caution rather than expedition. I regret the incorrect page citation, which I am informed was a typographical error, and the cryptic characterization of Dr. Paris' statement as a ruling, when it actually reflected a prior ruling. I also appreciate the Board's bringing its concerns to our attention.

Sincerely,

William S. Jordan, III

Counsel for the Union of
Concerned Scientists

WSJ/law

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
CONSOLIDATED EDISON COMPANY OF NEW YORK)	Docket No.
(Indian Point Unit 2))	
)	50-247
POWER AUTHORITY OF THE STATE OF NEW YORK)	50-286
(Indian Point Unit 3))	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Letter of May 3, 1982, to the Members of the Licensing Board in the above captioned proceeding has been served on the following individuals by U.S. mail, postage paid, this 3rd day of May, 1982.

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