

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

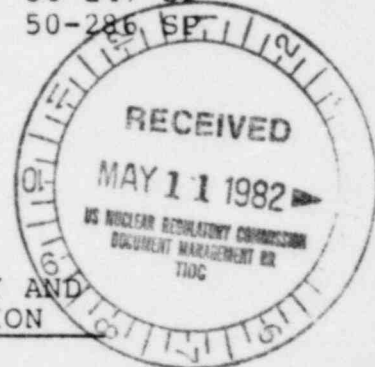
BEFORE THE COMMISSIONERS:
Nunzio J. Palladino, Chairman
Victor Gilinsky
John F. Ahearne
Thomas M. Roberts

In the Matter of

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
(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



POWER AUTHORITY'S ADDENDUM TO NOTICE AND
SUPPORTING BRIEF OF APPEAL OF THE ATOMIC SAFETY AND
LICENSING BOARD'S ORDER GRANTING INTERVENTION

The Power Authority of the State of New York (Power Authority), licensee of Indian Point Unit No. 3, hereby supplements its appeal of the Atomic Safety and Licensing Board's (Licensing Board's) April 2, 1982 Order regarding intervention by appealing the Licensing Board's April 23, 1982 Order which granted intervenor status to an additional party, the Greater New York Council on Energy (GNYCE).

- I. GNYCE DOES NOT HAVE STANDING TO INTERVENE IN THIS PROCEEDING BECAUSE IT FAILED TO ESTABLISH THAT THE PERSONS IT SEEKS TO REPRESENT ARE MEMBERS OR THE FUNCTIONAL EQUIVALENT THEREOF

The Power Authority incorporates by reference as if fully set forth herein the arguments regarding standing in

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Power Authority's Brief in Support of its Appeal of the Atomic Safety and Licensing Board's Order Granting Intervention and Denying the Power Authority's Request for an Evidentiary Hearing at 3-9 (Apr. 19, 1982) (Appeal Brief).

Although GNYCE has submitted an affidavit from one person alleging membership,¹ this mere recitation of membership does not establish that he "possess[es] all of the indicia of membership in [GNYCE],"² or "any other connection with [GNYCE]."³

II. GNYCE, AN OPPONENT OF NUCLEAR POWER REGARDLESS OF SAFETY, SHOULD NOT BE ALLOWED TO USE THIS PROCEEDING TO DEBATE NUCLEAR POWER

The Power Authority incorporates by reference as if fully set forth herein the arguments regarding an organization's purpose in its Appeal Brief at 10-18.

In an antinuclear publication, GNYCE counsels its readers that

1. Affidavit of Andrew Rosenbloom Authorizing Representation by the Greater New York Council on Energy, Attachment to Amendment to Petition for Leave to Intervene of the Greater New York Council Council [sic] on Energy (Dec. 10, 1981).

2. Hunt v. Washington Apple Advertising Commission, 432 U.S. 333, 344 (1977).

3. Health Research Group v. Kennedy, 82 F.R.D. 21, 27 (D.D.C. 1979).

[a]nyone can help create a stable energy future and stop the spread of nuclear technology.

Anyone Can, Alternate Currents with the Greater New York Council on Energy, Fall 1980, at 7 (Alternate Currents) (emphasis added). It believes that the development and use of nuclear power is not in the public interest.

Nuclear power is good for the companies that build reactors, those that control the supply of uranium, and the electric utilities that, through state public service laws, earn profits in proportion to their capital investment. Meanwhile, American consumers must pay ever-increasing prices for products made with electricity, struggle against accelerating inflation and a growing health risk, and bear the financial and social costs of high unemployment in an economy that is vulnerable to the whims of uranium and oil suppliers.

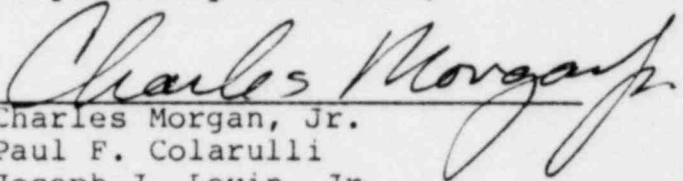
Debits and Credits, Alternative Currents at 1, 7. GNYCE claims that "[s]uch basic civil rights as freedom of speech and freedom of the press may have to be sacrificed to maintain a safe level of public ignorance about nuclear technology and the uses of nuclear substances." Material Unaccounted For, Alternate Currents at 3.

GNYCE's participation in this proceeding would divert attention from the complex issues involved, denigrate the process the NRC has chosen to resolve safety issues at Indian Point, and not be in the public interest.

CONCLUSION

For the foregoing reasons, the Power Authority of the State of New York requests that the Nuclear Regulatory Commission reverse the decision of the Atomic Safety and Licensing Board granting intervention to the Greater New York Council on Energy.

Respectfully submitted,


Charles Morgan, Jr.
Paul F. Colarulli
Joseph J. Levin, Jr.

MORGAN ASSOCIATES, CHARTERED
1899 L Street, N.W.
Washington, D.C. 20036
(202) 466-7000

Thoms R. Frey
General Counsel
Charles M. Pratt
Assistant General Counsel

POWER AUTHORITY OF THE STATE
OF NEW YORK
Licensee of Indian Point Unit 3
10 Columbus Circle
New York, New York 10019
(212) 397-6200

Bernard D. Fischman
Michael Curley
Richard F. Czaja
David H. Pikus

SHEA & GOULD
330 Madison Avenue
New York, New York 10017
(212) 370-8000

Dated: May 10, 1982

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NUCLEAR REGULATORY COMMISSION

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POWER AUTHORITY OF THE STATE OF)	
NEW YORK)	
(Indian Point, Unit No. 3))	
)	

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of May, 1982, I caused a copy of the Power Authority's Addendum to Notice and Supporting Brief of Appeal of The Atomic Safety and Licensing Board's Order Granting Intervention to be served by first class mail, postage prepaid on:

Louis J. Carter, Esq., Chairman
Administrative Judge
Atomic Safety and Licensing Board
7300 City Line Avenue
Philadelphia, Pennsylvania 19151

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

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

Docketing and Service Branch
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Joan Holt, Project Director
Indian Point Project
New York Public Interest Research
Group
5 Beekman Street
New York, New York 10038

John Gilroy
Westchester Coordinator
Indian Point Project
New York Public Interest Research
Group
240 Central Avenue
White Plains, New York 10606

Jeffrey M. Blum, Esq.
New York University Law School
423 Vanderbilt Hall
40 Washington Square South
New York, New York 10012

Charles J. Maikish, Esq.
Litigation Division
The Port Authority of New York
and New Jersey
One World Trade Center
New York, New York 10048

Charles M. Pratt, Esq.
Thomas R. Frey, Esq.
Power Authority of the
State of New York
10 Columbus Circle
New York, New York 10019

Janice Moore, Esq.
Counsel for NRC Staff
Office of the Executive
Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Brent L. Brandenburg, Esq.
Assistant General Counsel
Consolidated Edison Company
of New York, Inc.
4 Irving Place
New York, New York 10003

Ellyn R. Weiss, Esq.
William S. Jordan, III, Esq.
Harmon and Weiss
1725 I Street, N.W., Suite 506
Washington, D.C. 20006

Charles A. Scheiner, Co-Chairperson
Westchester People's Action
Coalition, Inc.
P.O. Box 138
White Plains, New York 10602

Alan Latman, Esq.
44 Sunset Drive
Croton-On-Hudson, New York 10520

Ezra I. Bialik, Esq.
Steve Leipzig, Esq.
Environmental Protection Bureau
New York State Attorney
General's Office
Two World Trade Center
New York, New York 10047

Alfred B. Del Bello
Westchester County Executive
Westchester County
148 Martine Avenue
White Plains, New York 10601

Andrew S. Roffe, Esq.
New York State Assembly
Albany, New York 12248

Marc L. Parris, Esq.
Eric Thorsen, Esq.
County Attorney
County of Rockland
11 New Hempstead Road
New City, New York 10956

Pat Posner, Spokesperson
Parents Concerned About Indian
Point
P.O. Box 125
Croton-on-Hudson, New York 10520

Renee Schwartz, Esq.
Paul Chessin, Esq.
Laurens R. Schwartz, Esq.
Margaret Oppel, Esq.
Botein, Hays, Sklar and Hertzberg
200 Park Avenue
New York, New York 10166

Honorable Ruth W. Messinger
Member of the Council of the
City of New York
District #4
City Hall
New York, New York 10007

Greater New York Council
on Energy
c/o Dean R. Corren, Director
New York University
26 Stuyvesant Street
New York, New York 10003

Geoffrey Cobb Ryan
Conservation Committee Chairman
Director, New York City
Audubon Society
71 West 23rd Street, Suite 1828
New York, New York 10010

Lorna Salzman
Mid-Atlantic Representative
Friends of the Earth, Inc.
208 West 13th Street
New York, New York 10011

Stanley B. Klimberg, Esq.
General Counsel
New York State Energy Office
2 Rockefeller State Plaza
Albany, New York 12223

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Honorable Richard L. Brodsky
Member of the County Legislature
Westchester County
County Office Building
White Plains, New York 10601

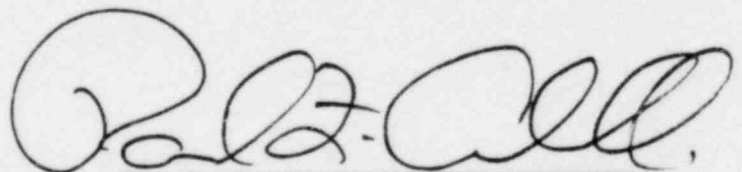
Zipporah S. Fleisher
West Branch Conservation
Association
443 Buena Vista Road
New City, New York 10956

Mayor George V. Begany
Village of Buchanan
236 Tate Avenue
Buchanan, New York 10511

Judith Kessler, Coordinator
Rockland Citizens for Safe Energy
300 New Hempstead Road
New City, New York 10956

David H. Pikus, Esq.
Richard F. Czaja, Esq.
330 Madison Avenue
New York, New York 10017

Amanda Potterfield, Esq.
P.O. Box 384
Village Station
New York, New York 10014



Paul F. Colarulli