

RELATED CORRESPONDENCE

POWER AUTHORITY OF THE STATE OF NEW YORK  
10 COLUMBUS CIRCLE, NEW YORK, NEW YORK 10019

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  
4 IRVING PLACE, NEW YORK, NEW YORK 10003

May 14, 1982

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

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

Gentlemen:

The Licensees are in receipt of your mailgram dated May 12, 1982 confirming the applicability of 10 C.F.R. 2.740(b) to interrogatories in this proceeding. The Licensees are in agreement that the regulations providing for discovery deadlines should govern absent the grant of an extension of time by the Licensing Board. However, Licensees are concerned that the "second round" aspect of your mailgram is in conflict with the schedule established at page 22 of the Licensing Board's Memorandum and Order of April 23, 1982. The Board established May 3, 1982 as the date by which "[a]ll interrogatories on matters under Commission Questions 3 and 4 [must be] filed." Licensees therefore object to discovery requests in connection with Commission Questions 3 and 4 filed subsequent to May 3 as incompatible with this provision of the Board's April 23 order.

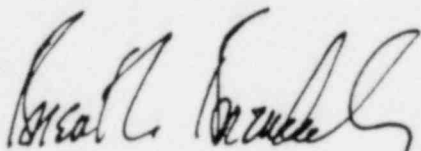
The difficulties involved in responding to the extensive interrogatories already submitted by all of the parties, coupled with the time constraints imposed under the regulations, make it imperative that we adhere to the May 3 deadline previously established by the Board. To subject the parties to additional discovery demands on Questions 3 and 4 would ensure that the date established for the close of discovery on these questions (May 31, 1982), and the dates established for the filing of testimony (June 7, 1982), could not practicably be met.

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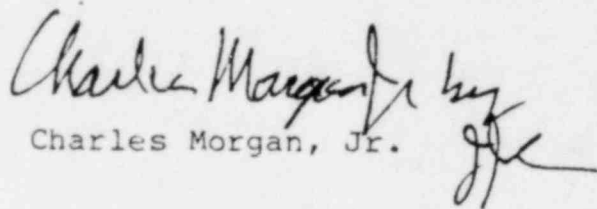
Therefore, the Licensees respectfully request that the Licensing Board clarify its mailgram of May 12, 1982 to indicate that the May 3 final date for the submission of all interrogatories on Commission Questions 3 and 4, as set forth in the Board's April 23 Order, remains in force.

Sincerely,



Brent L. Brandenburg

cc: Service List



Charles Morgan, Jr.