

50-322 06

JAMES B. DOUGHERTY
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May 10, 1983



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

Dear Judge Brenner:

I understand that on Thursday, May 5, 1983 you initiated a telephone conference call involving yourself, LILCO, Suffolk County, the NRC Staff, and perhaps other parties or members of the Licensing Board. For some reason I was not invited to participate in the conversation, even though its apparent focus was Suffolk County's motion to revise the schedule for submission of emergency planning contentions.

I do not understand why it was deemed unnecessary for my client to be represented in the conference call, and I have no particular interest in an explanation. I would like simply to emphasize that the Shoreham Opponents Coalition is a full-fledged participant in this proceeding and, as it has indicated by its conduct to date, it intends to play an active role in the upcoming litigation of offsite emergency planning matters. Accordingly, it expects to be represented by counsel in all meetings, conference calls, hearings, and other discussions concerning this subject.

It appears, Judge Brenner, that with the exception of last Thursday's incident, you have consistently done your utmost to assure that SOC is promptly notified of developments in this proceeding of which it might not otherwise learn. Further, I have no knowledge of any other instances in which SOC has been excluded from meetings or other discussions relating to offsite emergency planning. I assume, therefore, that the failure to involve SOC in last week's conference call was one of those oversights which is inevitable in a proceeding of this scale. I hope you will take whatever steps you may think necessary to prevent similar occurrences in the future.

Yours,

James B. Dougherty
James B. Dougherty

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