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'91

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July 15, 1991

BY FAX

Administrative Law Judge Morton B. Margulies
Chairman, Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Long Island Lighting Company
(Shoreham Nuclear Power Station, Unit 1):
Docket Nos. 50-322-OLA (Confirmatory Order Modification, etc.),
Docket No. 50-322-OLA-2 (Possession Only License)

Dear Judge Margulies:

This contains LILCO's thoughts, both in response to your July 10 letter^{1/} to all counsel and additionally, concerning the prehearing conferences now scheduled in these matters for July 23 in Bethesda, Maryland (Docket-50-322-OLA) and for July 30 in Hauppauge, New York (Docket 50-322-OLA-2)(subject to petitioners' July 12 motion for change of venue).^{2/}

1. LILCO is amenable to holding both prehearing conferences either in Hauppauge or in Bethesda, as fits the Board's and the participants' convenience. LILCO has no objection, therefore, to the relief requested in the SWR-SE₂ motion of July 12 for change in the location of the July 30 conference to Bethesda.

2. LILCO believes that the matters to be discussed at the prehearing conferences scheduled for July 23 and 30 could well be discussed in one day with two sequential sessions,

^{1/} The Board's letter, dated July 10 and served on July 12, arrived in counsel's office on July 15.

^{2/} Petitioners for intervention Shoreham-Wading River Central School District (SWRCSD) and Scientists and Engineers for Secure Energy, Inc. (SE₂) filed "Movant-Intervenors' Motion for Change of Venue of the Prehearing Conference" in the POL docket, 50-322-OLA-2 on July 12.

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HUNTON & WILLIAMS

Administrative Law Judge Morton B. Margulies

July 15, 1991

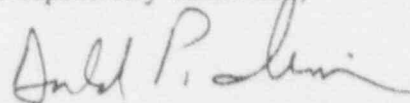
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one for each pending docket. The parties and potential parties concerned with both proceedings are the same and the issues, though distinct, are related. One day, rather than two, of the Board's and participants' time would be used. LILCO thus suggests that the Board take up the matters pending in both of these related dockets in one conference on July 30, either in Hauppauge or Bethesda as the Board prefers, and that it cancel the July 23 conference altogether.

3. It is not necessary to consolidate the two present dockets in order to gain the efficiency of a combined prehearing conference with sequential sessions for each docket. Indeed, the bases of potential participation of petitioners SWRCSD and SE₂ presently vary, not only from each other but from docket to docket, sufficiently that consolidation might well tend more to confuse than to simplify. LILCO urges that docket consolidation not be an aspect of the combined prehearing conference.

In the event evidentiary hearings are held, the scheduling matter of prime concern for LILCO will be avoidance of unnecessary inconvenience to witnesses. This may lead LILCO to favor holding any such hearings on Long Island. LILCO's agreeing to hold a prehearing conference in Bethesda is without prejudice to its advancing other views on venue in the event of evidentiary hearings' being scheduled.

Respectfully submitted,



Donald P. Irwin
Attorney for Long Island
Lighting Company

cc: Attached Service List

LILCO, July 15, 1991

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

'91 JUL 18 A9:25

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Station,
Unit 1))

Docket No. 50-322-OLA

Docket No. 50-322-OLA-2

CERTIFICATE OF SERVICE

I hereby certify that copies of a letter to Administrative Law Judge Morton B. Margulies from Donald P. Irwin, dated July 15, 1991, were served this date upon the following by Fax as indicated by an asterisk, by Federal Express as indicated by two asterisks, or by first-class mail, postage prepaid.

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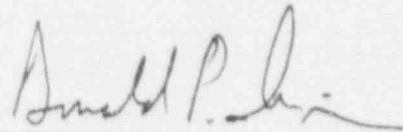
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DATED: July 15, 1991