

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Plant,
Unit 1))

Docket No. 50-322-OL-3
- (Emergency Planning)

SUFFOLK COUNTY'S RESPONSE
TO LILCO'S MOTION FOR LEAVE TO REPLY
AND REPLY TO NEW YORK STATE'S RESPONSE
IN SUPPORT OF SUFFOLK COUNTY'S
MOTION TO CHANGE SCHEDULE

On February 13, 1984, LILCO filed a Motion For Leave To Reply And Reply To New York State's Response In Support Of Suffolk County's Motion To Change Schedule (hereinafter Reply). In its Reply, LILCO cites a recent decision by the State of New York to reduce the number of contentions on which it will be presenting direct testimony.^{1/} Based on the State's position, LILCO stated in its Reply:

To the extent that any consideration of the desirability of extending the date for filing Group II testimony from March 2 to March 12 [sic] may have hinged on the complexity of coordinated presentation of issues and a resulting need to provide the parties additional time to prepare their direct cases,

^{1/} While LILCO's Reply notes that the State of New York will be submitting direct testimony on Contentions 67 and 97, it is the County's understanding from discussions with counsel for the State that the State will also be submitting direct testimony on Contentions 66 and 73.

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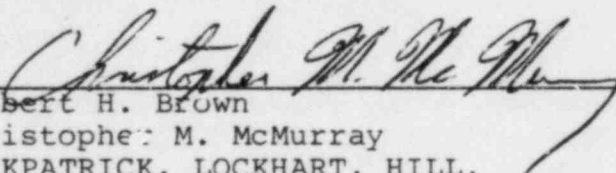
that consideration has now been mooted by New York State's truncation of the scope of its direction participation. (Footnote omitted).

Reply at 2.

LILCO's Reply totally misses the point of the County's Motion to Change Schedule (hereinafter Motion). Both the County's Motion and the State's Response^{2/} in support of that motion were based upon a delay in the issuance of FEMA's RAC review and the consequent need to revise the schedule for filing Group II testimony by twelve days so that the parties could address the FEMA review in their direct testimony. Neither the County nor the State have premised their arguments in support of the County's Motion on the "complexity of coordinated presentation of issues and a resulting need to provide the parties additional time to prepare their direct cases. . . ." Therefore, LILCO's Reply is not relevant to the issue placed before the Board by the County's motion.

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Dated: February 14, 1984

^{2/} New York State's Response To Suffolk County Motion To Change Schedule (February 10, 1984).

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In the Matter of)	
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LONG ISLAND LIGHTING COMPANY)	Docket No. 50-322-OL-3
)	(Emergency Planning)
(Shoreham Nuclear Power Station,)	
Unit 1))	

CERTIFICATE OF SERVICE

I hereby certify that copies of SUFFOLK COUNTY'S RESPONSE TO LILCO'S MOTION FOR LEAVE TO REPLY AND REPLY TO NEW YORK STATE'S RESPONSE IN SUPPORT OF SUFFOLK COUNTY'S MOTION TO CHANGE SCHEDULE dated February 14, 1984, have been served to the following this 14th day of February 1984 by U.S. mail, first class, except as otherwise noted.

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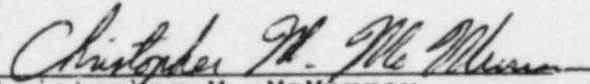
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DATE: February 14, 1984

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