

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges
James A. Laurenson, Chairman
Dr. Jerry R. Kline
Mr. Frederick J. Shon

DOCKETED
USNRC

'84 APR 25 A10:48

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power
Station, Unit 1))

OFFICE OF SECRETARY
DOCKET NO. 50-322-01-3
(Emergency Planning Proceeding)

April 23, 1984

STATEMENT OF GOVERNOR MARIO M. CUOMO, REPRESENTING
THE STATE OF NEW YORK, IN SUPPORT OF THE COUNTY OF
SUFFOLK'S RESPONSE TO "LILCO'S MOTION TO SET DEADLINE
FOR SUBMISSION OF NEW CONTENTIONS RELATING TO RAC
REVIEW"

This is in response to "LILCO'S MOTION TO SET DEADLINE
FOR SUBMISSION OF NEW CONTENTIONS RELATING TO RAC REVIEW," dated
April 13, 1984 (hereinafter, "LILCO'S motion").

LILCO is seeking a declaration by the Board that April 20,
1984 be set as the deadline for any party to submit new conten-
tions based on the RAC Review. LILCO's motion is premature.
It appears that the basis for LILCO's motion is some suspicion
that the County of Suffolk or another party may wish to file
new, proposed contentions after discovery of FEMA's witnesses
is conducted. There is no apparent basis for LILCO's suspicion.

First, the letter of April 9, 1984 from the County of
Suffolk's counsel to FEMA's counsel (attached to LILCO's motion)
provides no indication that the County of Suffolk intends to seek
discovery, or otherwise pursue, matters outside the scope of
contentions already admitted in this proceeding. If, at some time
in the future, the County of Suffolk or any other party actually

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does seek such discovery, FEMA's counsel or LILCO's counsel will have an ample opportunity to raise an objection at that time. In addition, the County of Suffolk's letter of April 9, 1984 is silent with respect to new, proposed contentions. At this time, the State of New York has no intention to seek to file new, proposed contentions, and the State of New York is not aware that any other party intends to seek to file new, proposed contentions. Accordingly, LILCO's motion requests that the Board issue an unnecessary, irrelevant ruling.

The State of New York concurs with the position of the County of Suffolk on this matter and respectfully requests that the Board deny LILCO's motion.

Respectfully submitted,

MARIO CUOMO,
Governor of the State of New York

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BY 
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Albany, New York
April 23, 1984

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CERTIFICATE OF SERVICE

I hereby certify that one copy of the

STATEMENT OF GOVERNOR MARIO M. CUOMO, REPRESENTING
THE STATE OF NEW YORK, IN SUPPORT OF THE COUNTY OF
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REVIEW"

has been served to each of the following this 23rd day of April
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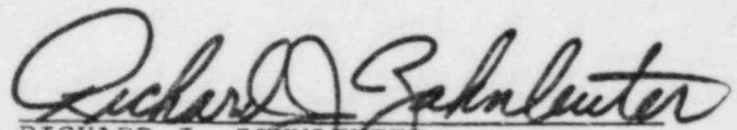
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*By Hand
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****By U.S. Express Mail

Albany, New York

April 23, 1984