



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

FABIAN PALOMINO
Special Counsel to the Governor

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April 27, 1984

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Honorable Marshall E. Miller, Chairman
Judge, Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Judge Miller:

This is in reply to your direction for a conference at 2:00 P.M. in Bethesda, Maryland today.

The State of New York is willing to meet to discuss a revised reasonable schedule for preparation and hearing of LILCO's Supplemental Application for a low power license.

However, due to the unanticipated and short notice of such conference -- I received it in New York City at approximately 10:00 a.m. this morning -- and due to the fact that I had previously arranged duties, as a representative of New York State, I will not be able to appear at the scheduled 2:00 p.m. conference in Bethesda.

Furthermore, the State of New York does not deem it appropriate to have a conference of such revised schedule before this Board in view of the fact that it is presently challenging the assignment of this Board to conduct the hearing of the aforesaid Application. In furtherance of this challenge,

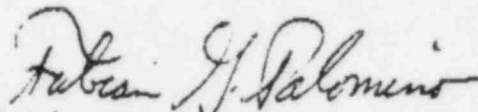
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Honorable Marshall E. Miller -2- April 27, 1984

the State of New York intends to request the Nuclear
Regulatory Commission to delete from its Order of
April 26, 1984, any provisions which would allow this
Board to conduct such conference.

Very truly yours,



Fabian G. Palomino
Special Counsel to
Mario M. Cuomo, Governor
of the State of New York

cc: Commissioners, NRC Commission
Honorable Marshall E. Miller
Honorable Glenn O. Bright
Honorable Elizabeth B. Johnson