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April 27, 1984

Marshall Miller, Chairman  
Glenn O. Bright, Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

DOCKET NUMBER

PROD. &amp; UTIL. FAC.

50-322

OL-4

Elizabeth B. Johnson, Administrative Judge  
Oak Ridge National Laboratory  
P.O. Box X, Building 3500  
Oak Ridge, TN 37830

Re: Docket No. 50-322 (OL) (Low Power)

Dear Administrative Judges:

At the request of the Secretary to the Board, Eleanor Frucci, I have enclosed Notices of Appearance for myself and my partner, John Shea, in the above referenced proceeding.

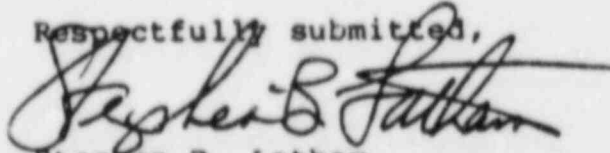
The Town of Southampton joins in the filings previously made by both Suffolk County and the State of New York with regard to LILCO's Supplemental Motion for a Low Power License. Specifically, Southampton strongly believes that this Board is without the legal authority to conduct hearings on a low power license for Shoreham as requested by LILCO in view of the prior proceedings and orders in this docket; in view of LILCO's failure to comply with the NRC's regulations as set forth in 10 CFR Part 50, Appendix B; and in view of LILCO's failure to seek a waiver therefrom pursuant to 10 CFR Section 2.758.

In view of the foregoing, it is the position of the Town of Southampton that any hearings held by the Miller Board, including hearings that may be re-scheduled in purported response to the Temporary Restraining Order issued by Judge Johnson on April 25, 1984, would be blatantly contrary to the NRC's rules of practice and accordingly, illegal.

Marshall Miller  
Glenn O. Bright  
Elizabeth B. Johnson  
April 27, 1984  
Page 2

We have been advised by attorneys for Suffolk County, that in spite of Judge Johnson's Temporary Restraining Order, the Miller Board has asked the parties to provide it with their views on a revised hearing schedule on LILCO's Supplemental Motion. Without waiving any of its rights concerning the Miller Board's jurisdiction to proceed at all on LILCO's latest low power request, Southampton will join in the submissions of Suffolk County and the State of New York on the subject of a hearing schedule.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Stephen B. Latham", written over the typed name.

Stephen B. Latham  
John F. Shea, III  
Twomey, Latham & Shea  
33 West Second Street  
Riverhead, NY 11901

Special Counsel to  
Town of Southampton

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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

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DOCKET NUMBER  
PROD. & UTIL. FAC.

50-322  
OL-4

NOTICE OF APPEARANCE

Please note the appearance of the undersigned, who has been admitted to practice law before the Supreme Court of the State of New York, and the United States District Courts for the Southern and Eastern Districts, as special counsel to the Town of Southampton in the above-captioned docket.

  
Stephen B. Latham

Twomey, Latham & Shea  
33 West Second Street  
P.O. Box 398  
Riverhead, New York 11901  
(516) 727-2180

Dated: April 27, 1984

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
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In the Matter of )

LONG ISLAND LIGHTING COMPANY )

(Shoreham Nuclear Power  
Station, Unit 1) )

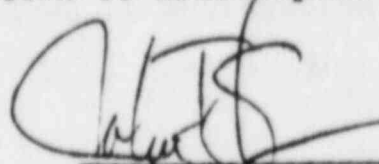
Docket No. 50-322 (OL)  
(Low Power)

DOCKET NUMBER  
PROD. & UTIL. FAC.

50-322  
OL-4

NOTICE OF APPEARANCE

Please note the appearance of the undersigned, who has been admitted to practice law before the Supreme Court of the State of New York, the United States District Court for the Eastern District of New York, the United States Court of Appeals for the District of Columbia Circuit, and the United States Supreme Court, as special counsel to the Town of Southampton in the above-captioned docket.



John F. Shea, III

Twomey, Latham & Shea  
33 West Second Street  
P.O. Box 398  
Riverhead, New York 11901  
(516) 727-2180

Dated: April 27, 1984

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
LONG ISLAND LIGHTING COMPANY ) Docket No. 50-322-OL-4  
 ) (Low Power)  
(Shoreham Nuclear Power Station,) )  
Unit 1) )

CERTIFICATE OF SERVICE

I hereby certify that copies of "NOTICE OF APPEARANCE", dated April 27, 1984, submitted by the Town of Southampton, in the above captioned proceeding, have been served on the following, by deposit in the United States mail, first class, this 27th day of April, 1984, and by Express Mail on those parties whose names are preceded by an asterisk.

\*Marshall E. Miller, Chairman  
Atomic Safety & Licensing Board  
U.S. Nuclear Regulatory Comm.  
Washington, D.C. 20555

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Washington, D.C. 20555

Secretary of the Commission  
United States Nuclear  
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Washington, D.C. 20555

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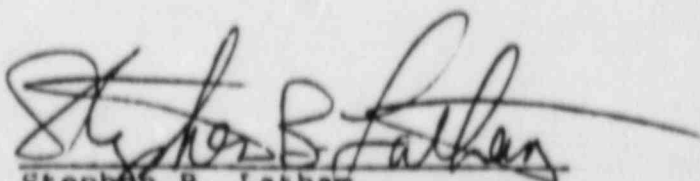
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Washington, D.C. 20555

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New York, N.Y. 10016

Dated: Riverhead, New York  
April 27, 1984

  
Stephen B. Latham