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FILE NO.

DIRECT DIAL NO. 202 955-

BY HAND

Chairman Nunzio Palladino
U.S. Nuclear Regulatory
Commission
1717 H Street, N.W.
Washington, D.C. 20555

Long Island Lighting Company
Shoreham Nuclear Power Station
Docket No. 50-322-OL-4 (Low Power)

Dear Chairman Palladino:

At Monday's oral argument, the Commission requested information from all parties concerning plants that have received operating licenses without full compliance with the NRC's regulations as applicable to full power operation. The Commission also requested of the Staff "suggestions of circumstances under which [§ 50.57(c)] was designed to apply in a non-creative reading." LILCO was, therefore, surprised to receive this morning the Joint Submission of Suffolk County and the State of New York Subsequent to May 7 Commission Oral Argument.

The Joint Submission does not provide any information concerning plants that have received operating licenses without full compliance with the NRC's regulations as applicable to full power operation. In short, it is not a response to the Commission's inquiry to all parties. Instead, the Joint Response is a re-argument of Suffolk County's and New York State's views which should have been expressed fully in the comments filed May 4 and during the May 7 oral argument. Accordingly, the Joint Submission is inappropriate and should not be considered by the Commission.

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Chairman Nunzio Palladino
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Thank you for consideration of this matter.

Sincerely yours,

Robert M. Rolfe 19913
Robert M. Rolfe
Counsel for LILCO

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cc: Commissioner James K. Asselstine
Commissioner Frederick M. Bernthal
Commissioner Victor Gilinsky
Commissioner Thomas M. Roberts
Service List

LILCO, May 10, 1984

CERTIFICATE OF SERVICE

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

I hereby certify that copies of the foregoing letter were served this date upon the following by first-class mail, postage prepaid, except by hand as indicated by an asterisk:

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