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February 21, 1992
BY FAX

The Hon. Ivan Selin, Chairman
Commissioner Kenneth C. Rogers
Commissioner Forrest W. Remick
Commissioner James W. Curtiss
Commissioner E. Gail de Planque
United States Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Maryland 20852



Long Island Lighting Company
(Shoreham Nuclear Power Station)
NRC Docket 50-322: -DCA-3
Request for Transfer of Operating License

Dear Chairman Selin and Members of the Commission:

Long Island Lighting Company (LILCO) and the Long Island Power Authority (LIPA) request that the Commission summarily dismiss the 22 untimely, unauthorized pages of rehashed argument filed last evening in "Petitioners' [Shoreham-Wading River Central School District and Scientists and Engineers for Secure Energy] Opposition to Nuclear Regulatory Commission Staff Recommendation for Approval of License Transfer." Virtually nothing in that "Opposition" is anything other than reworking of earlier arguments fully matured in papers already on file with the Commission, or untimely amplification, without good cause, of material that could and should have been argued earlier.

LILCO and LIPA, as the Commission knows, are vitally concerned lest the Commission's fair-minded interest in full exploration of legitimate issues be subverted for purposes of delay pure and simple, to their great and unnecessary expense and to the demeaning of the Commission's process. Neither safety issues nor environmental concerns have been colorably raised by Petitioners: no issues, indeed, independent of the utterly moot policy issue of operation of Shoreham.

LILCO and LIPA do not wish to add materially to the pile of paper before the Commission, and thereby play into the hands of potential further delay. We therefore urge the Commission to disregard the "Opposition," to approve the license amendment authorizing transfer of Shoreham's license from LILCO to LIPA at its next meeting, and to make that approval immediately effective, without a housekeeping stay.

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In the event the Commission desires to inspect the arguments of Petitioners in more detail, we submit the enclosed Memorandum in Response for the Commission's convenience.

Sincerely yours,

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