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June 17, 1985

KARLA J. LETSCHE
(202) 452-7064

DOCKETED
USNRC

BY HAND

Alan S. Rosenthal, Esq., Chairman '85 JUN 17 AIO:34
Gary J. Edles, Esq.
Mr. Howard A. Wilber
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Re: Long Island Lighting Company
(Shoreham Nuclear Power Station);
Docket No. 50-322-OL

Gentlemen:

By this letter, the undersigned is transmitting the Suffolk County and State of New York Motion for Stay of Low Power License. Expeditious Appeal Board action is necessary since it appears that a low power license could be issued as early as noon today and the Phase III testing could also commence soon thereafter. On June 16, 1985, LILCO's counsel refused to tell us when LILCO will be prepared to start Phase III; however, on June 14, we were informed by another one of LILCO's counsel that LILCO certainly would be ready to start Phase III within the week (i.e., certainly by June 21).

The County and State intend to file this morning an Emergency Motion in the U.S. Court of Appeals for the District of Columbia Circuit. Such a filing in the D.C. Circuit is necessary to avoid the potential mooted of our appeal rights, particularly since LILCO and the staff have refused to provide us with any facts relating to the timing of license issuance or commencement of operation. We respectfully request oral notification by this Board of any action taken regarding this stay motion (including, for instance, any temporary stay established by this Board to give itself time to rule on the motion), so that we can take such action into account with respect to our filing with the D.C. Circuit, and so that we can keep the D.C. Circuit informed of all material developments related to

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Alan S. Rosenthal, Esq.
Gary J. Edles, Esq.
Mr. Howard A. Wilber
June 17, 1985
Page 2

this matter. Please contact either the undersigned (452-7064), Mr. Brown (452-7005), Mr. Lanpher (452-7011), or Mr. Eisenberg (452-8359).

Due to logistical difficulties, the Affidavit attached to the enclosed Motion is unexecuted. An executed copy will be provided as soon as possible.

Sincerely,

A handwritten signature in cursive script, reading "Karla J. Letsche". The signature is written in dark ink and is positioned above the printed name.

Karla J. Letsche

KJL:jee

Attachments

cc: Service List