

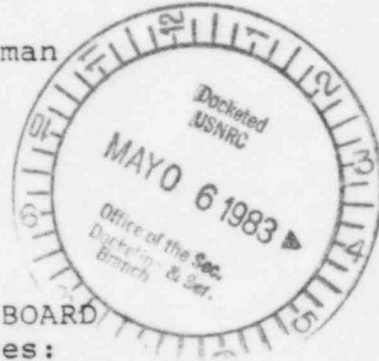
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

COMMISSIONERS:

Nunzio J. Palladino, Chairman  
Victor Gilinsky  
John F. Ahearne  
Thomas M. Roberts  
James K. Asselstine

and

ATOMIC SAFETY AND LICENSING BOARD  
Before Administrative Judges:  
James P. Gleason, Chairman  
Frederick J. Chon  
Dr. Oscar H. Paris



In the Matter of )

CONSOLIDATED EDISON COMPANY OF )  
NEW YORK, INC. )  
(Indian Point, Unit No. 2) )

POWER AUTHORITY OF THE STATE OF )  
NEW YORK )  
(Indian Point, Unit No. 3) )

Docket Nos.  
50-247 SP  
50-286 SP

May 6, 1983

LICENSEES' MOTION FOR A STAY OF THE SCHEDULE FOR  
FILING OF PROPOSED OPINION, FINDINGS OF FACT, AND  
RECOMMENDATIONS IN THE INDIAN POINT SPECIAL PROCEEDING

Consolidated Edison Company of New York, Inc., and the  
Power Authority of the State of New York, licensees of  
Indian Point Units 2 and 3, respectively, hereby move the  
Commission and the Atomic Safety and Licensing Board, for an  
order extending the time of the parties to the Indian Point  
Special Proceeding to submit post-hearing proposed Opinion,  
Findings of Fact, and Recommendations from May 27 until  
June 27, 1983. The licensees' motion is based upon the

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intervening circumstances surrounding the Commission's May 5, 1983 Order respecting Indian Point.

On May 5, the Commission issued an order establishing procedures for its decision on enforcement action regarding emergency preparedness for Indian Point. Order Establishing Procedures for Decision on Enforcement Action (May 5, 1983) (Commission Order). The Commission announced its intention "to issue an order by June 9, 1983, promptly suspending operation of the Indian Point plants unless

- (1) FEMA has determined that the significant deficiencies as determined in FEMA's Post Exercise Assessment dated April 14, 1983 no longer exist; or
- (2) The licensees demonstrate to the satisfaction of the Commission in accordance with 10 CFR 50.54(s)(2) (ii) that:
  - (a) adequate interim compensating actions have been or will be taken promptly, or
  - (b) the deficiencies identified by FEMA as significant are not significant, or
  - (c) other compelling reasons exist to permit operation of the facility, or
  - (d) there are other factors justifying continued operation.

Commission Order at 4-5.

The licensees must submit memoranda presenting their views to the Commission by May 20, 1983, and make oral presentations to the Commission on May 26, 1983. Commission

Order at 3, 4. The existing Board timetable contemplated a four-week period, from April 29 to May 27, 1983, for the parties to review thousands of pages of pre-filed testimony and the 15,000-page transcript, and to prepare proposed Opinions, Findings of Fact, and Recommendations.<sup>1</sup> Because the licensees' attention must now be directed to the preparation of the memoranda and oral presentations to the Commission, the licensees hereby request an extension of the May 27 deadline for submitting proposed findings until June 27.

As most of the issues in the Indian Point Special Proceeding are inextricably related, the extension should apply to all findings. Also, in addition to presenting information to the Commission concerning FEMA's evaluation of the sufficiency of emergency preparedness at Indian Point, the licensees must demonstrate "other compelling reasons . . . to permit operation of the facility" or "other factors justifying continued operation." Commission Order at 4-5. The scope of this response encompasses all issues in the special proceeding and thus imposes a substantial burden of preparation on the licensees during the next three

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1. This timetable has already been shortened by one week over licensees' objections, Tr. 6036-37, by the scheduling of further hearing sessions to receive testimony, which continued until April 29, 1983.

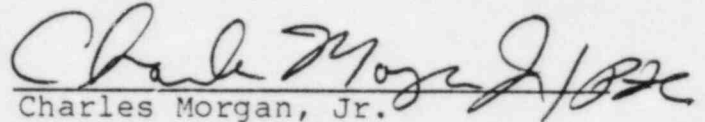
weeks which immediately precede the Board's May 27, 1983 deadline.

Conclusion

Based on the foregoing, the licensees hereby request an extension of the May 27, 1983 deadline until June 27, 1983, for all parties to submit proposed Opinion, Findings of Fact, and Recommendations in the Indian Point Special Proceeding.

Respectfully submitted,

  
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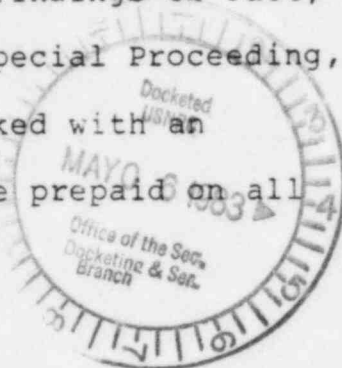
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Dated: May 6, 1983

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of May, 1983, I caused a copy of Licensees' Motion for a Stay of the Schedule for Filing of Proposed Opinion, Findings of Fact, and Recommendations in the Indian Point Special Proceeding, to be hand delivered to those parties marked with an asterisk, and by first class mail, postage prepaid on all others:



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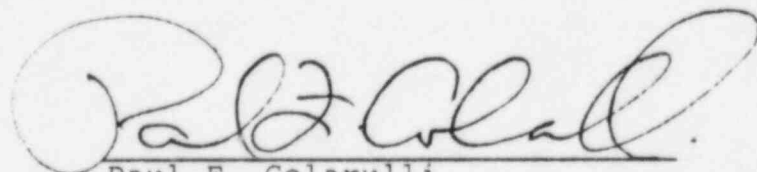
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