

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:
Louis J. Carter, Chairman
Frederick J. Shon
Dr. Oscar H. Paris

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In the Matter of) Docket Nos.
CONSOLIDATED EDISON COMPANY OF NEW YORK,) 50-247 SP
INC. (Indian Point, Unit No. 2)) 50-286 SP
POWER AUTHORITY OF THE STATE OF NEW YORK) May 27, 1982
(Indian Point, Unit No. 3))
-----X

Affidavit of Jeffrey M. Blum

Jeffrey M. Blum, attorney for the Union of Concerned Scientists hereby attests and affirms the truth of the following:

1. On Thursday, May 20, 1982, I first received a copy of the Licensees' responses to UCS/NYPIRG first set of interrogatories and addendum thereto. Upon reading pages 7 through 10 of the responses I became aware for the first time that the licensees planned to present five witnesses in the portion of the hearings relating to Commission Questions 3 and 4. The five witnesses listed in licensees' responses to interrogatories are Russell B. Dynes, Sidney Lecker, M.D., Peggy L. Rosenblatt, Michael Della Rocca, and Bruce Podwal.
2. On Saturday, May 22, I was able to contact NYPIRG Attorney Amanda Potterfield for the first time since receiving licensees' response to interrogatories. Ms. Potterfield, who had just returned from out of town, and I promptly decided to depose the five prospective

witnesses.

3. On Monday, May 24 Ms. Potterfield and I attempted to contact various of the licensees' attorneys and succeeded in contacting Joseph J. Levin, Jr., PASNY attorney employed in the firm of Morgan Associates, Chartered.

4. By telephone I informed Mr. Levin of our desire to depose licensees' five witnesses and requested permission to undertake such depositions at the earliest convenience time. Mr. Levin explained that he would have to contact other licensee attorneys in order to give us a response, but that his initial expectation was that licensees would not allow their witnesses to be deposed. Mr. Levin agreed to call me back the following day after consulting with other licensee attorneys.

5. On Tuesday, May 25 Mr. Levin and I succeeded in establishing telephone contact and Mr. Levin informed me that licensees were indeed refusing to have any of their witnesses be deposed. He made clear that their decision was final, and that attorneys from Con Edison as well as PASNY had joined in the decision. Mr. Levin explained that the licensees did not feel that depositions were "appropriate" in this proceeding. However, Mr. Levin cited no basis in law or in the Commission's Orders for their refusal.

Jeffrey M. Blum
Jeffrey M. Blum

STATE OF NEW YORK :
 : ss.
COUNTY OF NEW YORK:

Subscribed and sworn to before me this 27th day of May, 1982.

CAROLE PERCACCIA
NOTARY PUBLIC, State of New York
No. 31-4637450
Qualified in New York County
Commission Expires March 30, 1978

Carole Percaccia
Notary Public

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of)
)
CONSOLIDATED EDISON COMPANY OF NEW YORK) Docket Nos. 50-247 SP
(Indian Point Unit 2)) 50-286 SP
)
POWER AUTHORITY OF THE STATE OF NEW YORK)
(Indian Point Unit 3)) May 28, 1982

Certificate of Service

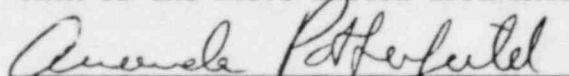
I hereby certify that copies of:

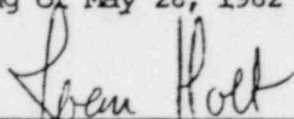
UCS/NYPIRG SUPPLEMENTARY INTERROGATORIES TO CON EDISON
AND PASNY

UCS/NYPIRG MOTION TO COMPEL DISCOVERY PURSUANT TO 10 C.F.R.
2.740(f) and MEMORANDUM IN SUPPORT OF MOTION TO COMPEL DISCOVERY

FOE/AUDUBON SUPPLEMENTAL RESPONSE TO LICENSEES' REQUEST
FOR THE PRODUCTION OF DOCUMENTS

have been served on the official minimum service list for the above
captioned proceeding by depositing in the United States mail, first class,
this 28th day of May 1982. The judges of the Atomic Safety and
Licensing Board were each mailed a copy of the UCS/NYPIRG Motion to Compel
and Memorandum in Support of Motion to Compel Discovery by Express Mail on
May 27, 1982. Mr. Brandenburg for Con Edison and Mr. Pikus of Shea and
Gould for PASNY were served by hand on the morning of May 28, 1982 with
each of the above listed documents.


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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of:

CONSOLIDATED EDISON COMPANY OF
NEW YORK (Indian Point, Unit 2)
POWER AUTHORITY OF THE STATE OF
NEW YORK (Indian Point, Unit 3)

Docket Nos. 50-247 SP
50-286 SP

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Atomic Safety and Licensing
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