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APPENDIX

CHRONOLOGY OF SIGNIFICANT EVENTS IN THE SHOREHAM PROJECT

1965

April 13: LILCO announces plans to build the Shoreham nuclear plant, at a cost of \$65-75 million.

1966

June: Brookhaven Town Board votes unanimously to issue zoning change to allow LILCO to build Shoreham.

August 16: LILCO's Board of Directors approves the selection of Stone and Wester for the environmental site survey at Shoreham.

1967

January 1: General Electric and Westinghouse abandon turnkey nuclear projects.

February 21: LILCO's Board of Directors authorizes the contract with General Electric to supply the turbine generator, nuclear steam supply system, and initial fuel load for Shoreham.

May 23: Edward Duffy, LILCO's executive vice-president, recommends the selection of Stone and Webster as architect/engineer and construction manager for the Shoreham project.

July 26: LILCO's Board of Directors approves the construction of Shoreham Unit 1, a 540 MW nuclear unit for commercial operation in the Spring of 1973 at a cost of \$124 million.

October 9: LILCO announces plan for a nuclear facility at Lloyd Harbor.

1968

May 15: LILCO submits the Preliminary Safety Analysis Report (PSAR) for a 540 MW reactor at Shoreham to the Atomic Energy Commission.

October 1: LILCO vice-president Arthur Sugden recommends that the Long Island Lighting Company defer the Shoreham project in light of emerging concerns about nuclear plant construction.

October 30: LILCO Board Chairman Charles Touhy advises Board of Directors that recent Stone and Webster analysis has concluded that a 540 MW nuclear plant would be more expensive than an equivalent fossil fuel unit. Board decides tentatively to postpone Shoreham project, and authorizes a 380 MW fossil fuel unit to be built at Northport.

November 6: Stone and Webster Vice-President advises LILCO President Duffy that Stone and Webster had stopped work on the 540 MW unit, and thanks him for "authorization for the design and management of construction of an 820 MW unit" at Shoreham.

November 21: LILCO notifies the Atomic Energy Commission that it plans to construct an 820 MW unit at Shoreham with a commercial operation date of May 1975. The Atomic Energy Commission agreed to retain the same docket for the amended PSAR for the 800 MW Shoreham unit.

1969

February: LILCO issues a report saying that an 820 MW nuclear plant currently would have an economic advantage over an oil-fired plant.

March 26: LILCO Board of Directors authorizes the construction of an 820 MW unit at Shoreham at an estimated cost of \$217 million, with a commercial operation date of May 1975.

April 21: LILCO files amended Preliminary Safety Analysis Report to reflect 820 MW Shoreham unit.

June: Arthur Wofford hired and named LILCO project manager for Shoreham.

July 1: Site clearing and grading begins at the Shoreham site.

September: LILCO increases estimated cost for Shoreham to \$261 million, with projected commercial operation in May 1975.

November: Atomic Energy Commission proposes that all nuclear power plants receiving construction permits after April 1, 1970 be required to comply with ASME III standard, including B31.7 Piping Code.

November 8: Lloyd Harbor Study Group issues report strongly criticizing proposed Lloyd Harbor nuclear plant as being "unsafe, unreliable, and unclear." Subsequently LILCO abandons plans for construction of the facility.

December 15: The Advisory Committee on Reactor Safeguards issues a favorable letter on the issuance of the Shoreham construction permit.

1970

March 4: Stone and Webster recommends the use of the B31.7 code requirement for the design of piping systems at Shoreham.

August 24: Contract between Stone and Webster and LILCO for engineering and construction management services signed, effective retroactively to June 1, 1967.

September 1: Foundation work for turbine and reactor buildings begins.

September: LILCO increases the estimate of Shoreham's costs to \$300 million with a projected commercial operation in May 1975.

September 21: Shoreham's construction permit hearings begin before a United States Atomic Energy Commission Atomic Safety Licensing Board.

1971

February 5: LILCO considers deferring the Shoreham project.

May: Atomic Energy Commission begins review of emergency core cooling systems in nuclear plants.

June 12: The Nuclear Regulatory Commission issues final regulations requiring plants with construction permits issued after January 1, 1971 to comply with ASME III, including B31.7 piping code.

July 23: United States Federal Court of Appeals issues *Calvert Cliffs* decision, requiring that the Atomic Energy Commission prepare environmental impact statements when considering licenses for nuclear plants.

August 3: LILCO instructs Stone and Webster to shut down engineering, design, and construction at the Shoreham project.

August: AEC regulatory staff issues an analysis saying that the proposed Shoreham emergency core cooling system is acceptably safe.

October 1: Stone and Webster halts Shoreham's construction.

November 4: Atomic Energy Commission Atomic Safety Licensing Board begins hearings on Shoreham's emergency core cooling system.

1972

January 31: LILCO increases its estimate of Shoreham's costs to \$350 million, with an April 1977 commercial operation.

May 1: LILCO decides to reactivate engineering work for the Shoreham project.

June: Staff of Atomic Energy Commission issues Draft Environmental Statement for Shoreham concluding that construction permit is justified.

June: New York State Department of Environmental Conservation concludes that Shoreham can be built without violating State water quality standards.

September 27: LILCO's Board of Directors approves the selection of Stone and Webster for phase 1 of the proposed Jamesport nuclear project.

October 1: Construction and other work at the Shoreham site begins again after a one-year shutdown.

December 22: Atomic Energy Commission requests utilities to evaluate the effects in nuclear plants of high energy pipe breaks outside containment (PBOC), and provides criteria for preventing damage from such breaks.

1973

March 1: Thomas J. Burke becomes LILCO's project manager for Shoreham.

April 12: Atomic Energy Commission announces it is granting construction permit for Shoreham.

May 13: LILCO increases its estimate of Shoreham's cost to \$560 million, with a commercial operation of July 1977.

June 14: First concrete is poured for the Shoreham reactor building.

October: First Arab oil embargo begins.

October 26: Atomic Safety and Licensing Appeal Board affirms the issuance of construction permit for Shoreham.

1974

February 28: Andrew W. Wofford reports that Stone and Webster cannot meet a target date of Spring 1978 for Shoreham's commercial operation.

March 26: LILCO's Nuclear Project Construction Group issues a "Self Analysis Report."

May 15: Charles R. Pierce becomes president of LILCO, and Andrew W. Wofford becomes LILCO vice-president of project management.

July 19: LILCO increases its estimate of Shoreham's costs from \$506 million to \$695 million, and changes target commercial operation from July 1977 to May 1978.

1975

January: United States Nuclear Regulatory Commission (NRC) assumes regulatory and licensing functions of Atomic Energy Commission (AEC).

January: To increase its direct contact with the project, LILCO moves the offices of its project manager Thomas J. Burke and the LILCO project team to the Shoreham site.

August 28: Final Safety Analysis Report and Environmental Report submitted to the NRC.

October: Suffolk County prepares the first emergency response plan for Shoreham in cooperation with LILCO.

November 7: The Nuclear Regulatory Commission rejects as incomplete LILCO's final safety analysis report.

December 8: The reactor pressure vessel is set at Shoreham.

1976

January 15: Piping System Erection Progress Report issued, citing numerous problems at the project.

January 23: Final Safety Analysis Report and the Environmental Report accepted for review by the NRC.

May 1: LILCO and Stone and Webster form UNICO (Unified Construction Organization) as the Shoreham construction manager with Stone and Webster in the lead role, and with direct participation by LILCO personnel.

June 30: LILCO increases its estimates of Shoreham's cost from \$695 million to \$969 million, and changes the target date of commercial operation from May 1978 to May 1979.

August 20: Piping erection task force is established with William J. Museler as chairman.

October 9: The first system at Shoreham is turned over to Start Up by construction.

December 7: Piping Erection Task Force Final Report issued.

December 20: Craft and Supervision Assistance Program (CASAP) final report issued.

1977

January 6: LILCO advises Stone and Webster that Stone and Webster would continue in lead construction manager role on a trial basis.

February 2: Nuclear Regulatory Commission rejects LILCO's approach to dealing with Pipe Break Outside Containment issues.

March 12: Stone and Webster advises LILCO that fuel load at Shoreham would be delayed between 15 and 28 months.

March 28: Arthur D. Little issues draft report to LILCO, discussing serious organizational problems at the Shoreham project.

July 5: Wilfred O. Uhl recommends that LILCO take over Shoreham construction management.

August 31: LILCO's Board of Directors approves the LILCO takeover of construction management at Shoreham.

September 12: LILCO assumes the lead role in UNICO and relieves Stone and Webster of construction management responsibilities.

September 14: LILCO agrees to comply with the intent of the Nuclear Regulatory Commission's rules on Pipe Break Outside Containment issues.

October: LILCO increases its estimate of Shoreham's cost to \$1.223 billion, with a September 1980 commercial operation.

1978

January 1: Charles R. Pierce becomes Chairman of LILCO, and Wilfred O. Uhl becomes President of LILCO.

September 15: Joseph P. Novarro becomes LILCO's Shoreham project manager.

October 1978: LILCOs increases its estimate of Shoreham's cost to \$1.337 billion, with a September 1980 commercial operation.

December 1978: Dr. William J. Catacosinos elected to membership on the LILCO Board of Directors.

1979

March 4: Three Mile Island accident occurs, resulting in a partial meltdown at the plant in Pennsylvania.

May 21: Public Service Commission begins investigation of the quality of management at the Shoreham project.

July 31: LILCO increases its estimate of Shoreham's cost from \$1.240 to \$1.581 billion, and changes expected commercial operation from September 1980 to May 1981.

December: Following problems of emergency response after the Three Mile Island Accident, the Nuclear Regulatory Commission proposes new emergency preparedness rules.

December: Suffolk County Executive John Klein and LILCO sign agreement updating County's responsibilities in emergency planning.

1980

July: LILCO increases its estimate of Shoreham's cost to \$2.213 billion, with an expected November 1982 commercial operation.

August: The Nuclear Regulatory Commission adopts final new emergency preparedness rules, requiring more extensive emergency planning for nuclear power plants.

1981

July 1: William J. Muselar becomes LILCO's manager of construction and engineering at Shoreham.

July 24: LILCO increases its estimate of Shoreham's cost to \$2.49 billion.

September: Suffolk County legislature approves a contract with LILCO to prepare an emergency plan for Shoreham.

1982

February: An attorney representing Suffolk County in the Shoreham operating license proceedings advises the County to cancel its emergency planning contract with LILCO. Suffolk advises LILCO that it is withdrawing from the contract.

May: LILCO forwards the initial Suffolk County-LILCO emergency plan for approval to New York State Disaster Preparedness Commission.

Suffolk County protests, calling the Suffolk County Planning Department document "resource material" only.

May: Suffolk County announces that it will prepare its own emergency response plan for Shoreham.

June 5: Nuclear Regulatory Commission Atomic Safety Licensing Board begins Shoreham operating license hearings.

September: Pre-operational testing of the diesel generators at Shoreham begins.

September 30: Torrey Pines Technology issues a report on Shoreham, recommending changes costing approximately \$1 million but finding plant's construction and quality assurance program to be satisfactory from the standpoint of safety.

December: Suffolk County releases its draft emergency response plan, calling for planning for evacuation of up to twenty miles around Shoreham, rather than the ten required by Federal regulations, based on what it calls special circumstances on Long Island.

1983

January: Suffolk County conducts hearings on proposed emergency response plan for Shoreham.

February 16: Suffolk County Executive Peter Cohalan says that it is not possible to have adequate emergency planning for Shoreham, concluding that Shoreham therefore should never operate.

February 17: Governor Mario Cuomo orders the State not to approve any emergency plan not approved by Suffolk County. Hours after the Governor's executive order, the Suffolk County legislature votes 15-1 to cease emergency planning for Shoreham on grounds that effective emergency planning for Shoreham is not possible.

February 23: Suffolk County asks Nuclear Regulatory Commission to halt Shoreham's operating license hearings on grounds that the County had withdrawn from emergency planning, making it impossible for the NRC to grant LILCO an operating license for the plant.

April 19: Governor Cuomo proposes creation of a "Fact Finding Panel" for Shoreham, to be chaired by State University of New York at Stony Brook President John Marburger.

May: LILCO increases its estimate of Shoreham's costs to \$3.3 billion, with expected commercial operation in April 1984.

May 12: Nuclear Regulatory Commission agrees to consider LILCO's emergency response plan, over Suffolk County's objections.

June: Consulting firm of Daverman and Associates reports to Suffolk County that acquiring LILCO's assets would cost Suffolk County about \$1.4 billion, and would save Suffolk ratepayers between four and thirty percent on electricity bills. Suffolk County Budget Review Office subsequently criticizes report as being based on assumptions "whose validity remains uncertain."

June 8: LILCO files a motion with the NRC for a low power license for Shoreham.

August 12: Crankshaft on one of Shoreham's emergency diesel generators breaks.

October 1: Marburger Fact Finding Panel on Shoreham meets in executive session to consider conclusions for its Final Report to the Governor.

October 5: Federal Emergency Management Agency accepts Nuclear Regulatory Commission's referral of LILCO's emergency plan.

October 24: Stone and Webster recommends that LILCO purchase 3 Colt diesel generators to replace the Delaval diesel generators.

November: LILCO orders diesel generators from Colt Industries.

December: Final Report of Marburger Panel is released. Panel concludes that Suffolk County's decision to withdraw from emergency planning is not so unreasonable as to warrant intervention by Governor Cuomo to overturn decision.

1984

January 10: LILCO announces it will withhold property tax payments to Suffolk County on grounds that County was overassessing the Shoreham plant.

January 30: Charles R. Pierce resigns as LILCO chairman, and is replaced by Dr. William J. Catacosinos.

February 10: The Department of Public Service staff files its report on LILCO's management of Shoreham's construction. The report recommends that \$1.9 billion of Shoreham's \$4.2 billion cost to that point be disallowed because the cost resulted from poor management.

March 28: LILCO accepts the resignations of Wilfred O. Uhl, president, Thomas H. O'Brien and Charles J. Davis, senior vice-presidents, and Andrew W. Wofford, vice-president.

May: Suffolk County Legislature's Budget Review Office concludes that property taxes would need to rise up to sixteen percent if Shoreham was not taxed as an operating unit.

June: Suffolk County faces budget shortfall of \$200 million in its budget of \$800 million, a budgetary shortfall aggravated by LILCO's withholding of property taxes for Shoreham.

October: Atomic Safety Licensing Board issues low-power testing license for Shoreham.

October 23: Ten members of Suffolk County legislature introduce resolution to establish a public electric utility in Suffolk County; the resolution would prohibit the utility from owning or operating a nuclear plant.

November: Suffolk County's bankers raise concerns about the effects of LILCO's withholding of property taxes.

November: Federal Energy Secretary Donald Hodel argues to Suffolk County Executive Peter Cohalan that, based on data from the Three Mile Island accident, it might be possible to reduce the planning area for evacuation around a nuclear plant from ten miles to two miles.

1985

May 31: Peter Cohalan orders Suffolk County to cooperate with LILCO in testing emergency response plan for Shoreham. LILCO announces that it will cease withholding property taxes for Shoreham, and will pay \$131 million in back taxes to Suffolk County. Suffolk County Legislature and Governor Cuomo oppose Cohalan's executive order.

June 10: Responding to an appeal by the Suffolk County Legislature, a New York State judge nullifies Cohalan's executive order.

June 20: Nuclear Regulatory Commission asks the Federal Emergency Management Agency (FEMA) to conduct exercise of LILCO's emergency response plan.

August: Shoreham begins low-power testing.

September: Hurricane Gloria hits Long Island. LILCO is criticized as parts of Long Island remain without power for eleven days. Chairman William Catacosinos is criticized for not returning from vacation to attend to hurricane crisis.

November 13: Chairs of the Senate and House Committees in charge of Federal Emergency Management Agency's appropriations write to FEMA saying that it should not allow state and local opposition to nuclear plants to undermine emergency planning efforts.

November 14: FEMA confirms that it will conduct test of LILCO's emergency plan.

December 16: The Public Service Commission announces that it will disallow \$1.395 billion of Shoreham's costs as imprudently incurred, about one-third of the plant's cost to that point.

1986

January: New York State Public Service Commission grants LILCO \$68.7 million rate increase, as recommended by its staff. Subsequently LILCO receives extension from banks on payment of loans. Governor Cuomo comments that "If I could start all over with the Public Service Commission, without confirmation, would this be the same Public Service Commission? No."

January: Republican State senators from Long Island endorse concept of a public power authority to replace LILCO on Long Island.

January 11: Suffolk County legislature passes a bill prohibiting exercise of emergency plan in the County without approval by the Legislature.

February 10: Federal judge bars Suffolk County from enforcing law preventing emergency planning exercise for Shoreham.

February 13: FEMA, the NRC, and LILCO conduct test of LILCO's emergency response plan.

April 14: FEMA Regional Director Frank Petrone resigns over wording of Post-Exercise Assessment. Petrone contends that the Assessment should specify that FEMA could not provide reasonable assurance that the plan would protect public safety because the local authorities did not participate in the exercise.

April 18: FEMA evaluates LILCO's test of emergency plan relatively favorably, but does identify note some deficiencies requiring corrections. Notes that emergency plan approval process normally requires more than one exercise.

April 26: Soviet nuclear reactor at Chernobyl explodes, spewing radioactive cloud over Europe which eventually reaches United States. Forty nine thousand people around Chernobyl are evacuated; thirty one die shortly, with more deaths expected from exposure to radiation.

May: Suffolk County Legislature votes to sue LILCO under the Federal Racketeer Influenced and Corrupt Organizations law, charging that LILCO had pursued rate increases from the New York Public Service Commission using arguments it knew to be false.

June: Nassau County Board of Supervisors refuses to allow LILCO to use Veterans Memorial Coliseum as emergency reception center. Nassau Chapter of American Red Cross tells the Atomic Safety Licensing Board that it cannot find school districts or other areas willing to provide transportation or shelter to evacuees.

June: Two panels, one for Suffolk County and one for New York State, evaluate a public takeover of LILCO relatively favorably.

July: New York State Senate (35-26) and Assembly (80-63) agree on bill establishing the Long Island Power Authority (LIPA), with an effective date of January 15, 1987. LIPA is empowered to undertake a friendly or hostile takeover of LILCO if it determines that a public power system would reduce electricity rate increases on Long Island.

September: Radio station WALK resigns as primary broadcaster of emergency messages in LILCO's emergency response plan.

1987

January: Governor Cuomo appoints five members to the Long Island Power Authority, with four additional representatives appointed by the leaders of the New York Legislature.

March 6: After discussions in February, the Nuclear Regulatory Commission formally proposes that it be allowed to *presume* that state and local governments would assist in any actual nuclear emergency; and that it be allowed evaluate emergency response plans, including those submitted by utilities, with that presumption.

August 5: House of Representatives rejects by a vote of 267 to 160 an amendment to the Nuclear Regulatory Commission's appropriation which would bar NRC approval of revised emergency planning procedures.

August: Long Island towns of Hempstead and North Hempstead declare that LILCO's decontamination trailers, an important part of its emergency response plan, would violate local zoning ordinances.

October 29: Nuclear Regulatory Commission votes unanimously to adopt revision of emergency planning rules, allowing it to presume that state and local governments will assist in any actual emergency.

November: New York State Public Service Commission, with five new members and a new Chair appointed by Governor Cuomo in previous year, refuses to grant LILCO a rate increase until Shoreham situation is resolved.

December 30: New York State Supreme Court upholds Public Service Commission's disallowance of excess engineering costs, construction labor costs, and diesel generator repair and replacement costs, but directs Public Service Commission to justify disallowance of delay costs in more detail.

1988

January: Four members of Long Island Power Authority object to the State's negotiations with LILCO--involving other members of LIPA--over a possible settlement of Shoreham in exchange for LILCO's survival as a private utility. The objecting members contend that LIPA's proposed takeover of LILCO is being stalled to accomodate the negotiations.

February: The Nuclear Regulatory Commission and the Federal Emergency Management Agency schedule another test of LILCO's emergency response plan for June 1988.

March 28: The Long Island Power Authority approves an initial "friendly" offer to purchase LILCO's preferred and common stock, and thus assume control over the company.

March 31: Chief State negotiators Vincent Tese and LILCO Chairman William Catacosinos meet in what is later called the pivotal session of the negotiations between the state and LILCO. Tese and Catacosinos agree on the outline of a settlement in which LILCO would abandon Shoreham, and the State would provide enough assistance to allow LILCO to return to financial health.

April: LILCO rejects the Long Island Power Authority's first "friendly" offer to purchase its stock. LIPA raises its bid, but also undertakes steps necessary to initiate a hostile takeover of LILCO.

April: The outlines of a proposed negotiated settlement between LILCO and the State, involving LILCO's selling of Shoreham and financial aid from the State, become publicly known.

May 25: LILCO and the Governor's Office agree to the settlement.

June: The Public Service Commission begins hearings on the proposed settlement, which it must approve. Conflicting studies of the costs of the settlement versus a public takeover of LILCO are presented.

June 22: The Long Island Power Authority votes 6-0 to accept the settlement, with three of Shoreham's opponents choosing not to vote or abstaining.

July: A *Newsday* poll reports that the public on Long Island divides 44-42 percent on whether they favor or oppose the settlement. The majority of

those opposing the settlement do so because of the rate increases the settlement guarantees to LILCO.

July 16: The New York State legislature recesses for at least two weeks without having approved the settlement. Strong political opposition to the settlement by Long Island legislators begins to emerge.

September 1: Administrative Law Judge Frank Robinson, overseeing the Public Service Commission hearings on the settlement, concludes that the desirable option is to open and operate Shoreham. He also states that, if the Public Service Commission is willing to approve the abandonment of Shoreham, "the settlement is not otherwise objectionable; its rate arrangements are reasonable, and there would be no sound alternative scenarios."

September 2: The Federal Emergency Management Agency concludes that LILCO's emergency response plan would provide reasonable assurance of public safety in the event of an accident at Shoreham, even though state and local governments did not participate in the plan's exercise.

September 6: A Federal Appeals Court in Boston upholds the Nuclear Regulatory Commission's revision of its emergency planning regulations, allowing the NRC to presume that state and local governments will participate in an actual emergency response even though they have not participated in plan exercises.

September 6: Judge Jack Weinstein tells Suffolk County that it can represent only itself, and not LILCO's ratepayers, in its lawsuit of LILCO under the Racketeer Influenced and Corrupt Organization law. It is recognized, however, that ratepayers could subsequently collect damages if the suit is successful.

September 15: The Public Service Commission votes 6-1 to accept the Shoreham settlement negotiated by the State and LILCO.

September 23: An Atomic Safety Licensing Board (ASLB), in a 2-1 decision, authorizes the Nuclear Regulatory Commission to issue an operating license for Shoreham, and throws New York State, Suffolk County, and the town of Southampton out as intervenors in the case.

October: U.S. Secretary of Energy John Herrington writes to NRC Chairman Lando Zech asking the NRC to "move expeditiously" to license Shoreham.

October 3: The trial begins in Suffolk County's lawsuit of LILCO under the Racketeer Influenced and Corrupt Organizations Law.

October 7: A Nuclear Regulatory Commission Appeals Board overturns the September 23 decision of the ASLB, saying that the ASLB did not have the right to dismiss the State and County from the entire Shoreham proceeding.

October 30: A *Newsday* poll reports that 50 percent of Long Islanders oppose the State-LILCO settlement, and 31 percent favor it, largely because of the rate increases granted to LILCO.

November 4: LILCO's shareholders vote overwhelmingly to accept the settlement. LILCO Chairman Catacosinos gives the Legislature until December 1 to approve the settlement.

November 7: Governor Cuomo's political committee reports its own poll, concluding that 49 percent of Long Islanders favor the settlement and 26 percent oppose it. The question in the committee's poll includes the statement that "The New York State Public Service Commission has determined that the electric rates if the settlement is approved would be less than if the settlement is not approved and the Shoreham nuclear power plant is allowed to operate."

November 18: President Ronald Reagan issues an executive order specifying that the Federal government itself will provide emergency reception and medical centers, communication services, and other facilities if state and local governments fail to do so in an emergency at a nuclear plant.

November 29: In Suffolk County's RICO suit of LILCO, Judge Jack Weinstein suggests that the County's arguments and evidence are weak, but that he would not take the case away from the jury.

December 1: Legislature fails to approve the settlement by the December 1 deadline imposed by LILCO. However, it is recognized generally that negotiations may continue.

December 5: In the RICO lawsuit of LILCO, a six-person jury finds LILCO guilty of lying to Public Service Commission about Shoreham's progress in order to obtain rate increases.

December 16: Judge Jack Weinstein suggests that LILCO, Suffolk County, and the ratepayers settle the RICO lawsuit prior to his final action in the case or any appeals.

December 29: The New York Public Service Commission votes 6-1 to not grant any additional rate increases to LILCO until the basic terms of the original settlement are agreed to by the key parties, including LILCO, the Public Service Commission, the Long Island Power Authority, and the New York Power Authority.

1989

January 22: Kenneth Feinberg, a mediator proposed by Judge Weinstein, proposes outlines of a settlement of the RICO lawsuit to Suffolk County, LILCO, and attorney appointed by Judge Weinstein to represent ratepayers.

February 11: Judge Weinstein dismisses Suffolk County's lawsuit of LILCO under the Racketeer Influenced and Corrupt Organization law, concluding that the RICO law "cannot, and should not, be applied in a case such as this to permit a federal jury in a civil case to second guess the rate-making authority of the state." Although dismissing the case, Weinstein urges that the parties to settle the lawsuit before any further appeals are made.

February 11: Kenneth Feinberg proposes a RICO settlement to Suffolk County, LILCO, and ratepayers, providing \$390 million in rate relief over ten years.

February 14: Judith Vladeck, attorney representing ratepayers, approves the settlement proposed by Feinberg.

February 15: Public Service Commission grants LILCO a rate increase, but conditions the increase on LILCO agreeing to not operate Shoreham even if granted an operating license. The PSC approves the increase 7-0, but the conditions for the increase only by a vote of 4-3.

February 27: Suffolk County legislature votes unanimously to appeal Judge Weinstein's dismissal of the RICO case, and refuses to settle the RICO lawsuit with LILCO.

February 28: Governor Cuomo announces that he and the Long Island Lighting Company have agreed on a new settlement to close Shoreham. Under the new settlement LILCO will sell Shoreham to the Long Island

Power Authority for \$1, which will contract with the New York Power Authority for Shoreham's decommissioning. LILCO obtains a commitment from the State that it will make good faith efforts to return the utility to financial health. The new settlement will not require Legislative approval, and will leave final approval of rate increases solely to Public the Service Commission.

March 3: The Nuclear Regulatory Commission throws out Suffolk County and New York State as intervenors in the Shoreham proceeding, saying that the governments had acted in "bad faith" in "a willful attempt to obstruct the Commission's proceedings."

March 22: Judge Weinstein approves final settlement of the RICO suit for LILCO and its ratepayers, providing \$390 million in rate relief, \$10 million in attorneys' fees, and funding for a Citizens Advisory Panel to oversee implementation of the agreement. Suffolk County's legislators reaffirm their opposition to the settlement of the RICO suit, and announce they will press an appeal of Weinstein's dismissal of the case.

April 5: New York Public Service Commission approves new State-LILCO settlement by a vote of 6-1, and approves a ten-year plan for annual rate increases of between four and five percent for LILCO.

April 12: New York Power Authority votes 3-2 to arrange decommissioning for Shoreham and provide new power plants on Long Island if asked to do so as provided under the settlement.

April 12: James Watkins, the United States Secretary of Energy, calls the New York-LILCO settlement of Shoreham "one of the most foolish deals in the nation's history." Deputy Energy Secretary Henson Moore says that Department of Energy will "throw up every roadblock we can to it, and if we have to create some, we'll do that."

April 13: The Long Island Power Authority votes 8-1 to approve the new settlement.

April 13: United States Senate Committee on Energy and Natural Resources holds hearing on electricity supply in the Northeast which is generally critical of the New York-LILCO settlement.

April 14: LILCO Board of Directors votes unanimously to approve the new settlement.

April 17: Nuclear Regulatory Commission staff issues formal finding that Shoreham is acceptably safe and that Long Island's geography or other features do not "render emergency planning at Shoreham fundamentally more difficult than at other sites."

April 20: Nuclear Regulatory Commission votes to grant LILCO full commercial operating license for Shoreham.

June 28: LILCO's stockholders vote overwhelmingly to approve the New York-LILCO settlement leading to abandonment of Shoreham in exchange for a package of financial aid from the State.

June 29: U.S. House Committee on Energy and Commerce passes, 23-19, an amendment to NRC authorization bill sponsored by Representative Donald Ritter (R-PA) which prohibits the NRC from transferring LILCO's Shoreham license to the Long Island Power Authority.

July: U.S. Senate Committee on Energy and Natural Resources releases study by staff economist Karl Hausker criticizing New York's economic evaluation of settlement as being based on a "deeply flawed...obviously biased" study by the New York Public Service Commission.

July 18: House Speaker Thomas Foley delays full House vote on NRC authorization bill including the Ritter amendment.

August 15: President Bush, Deputy Energy Secretary Henson Moore, and Governor Cuomo meet on the Shoreham issue.

September 1: Federal government requests to join a suit in New York State which would block implementation of the settlement.

November 14: President Bush affirms administration policy that it would be better to operate Shoreham than to decommission the plant.

November 16: House debates NRC authorization including Ritter amendment. House votes 405-11 to delay final consideration of bill after Interior Committee Chairman Morris Udall says that Ritter amendment might constitute Legislative "taking" of LILCO's property, requiring Congress to compensate LILCO for the full cost of the plant.

1990

January 3: Governor Mario Cuomo's State of the State address calls for the possible conversion of Shoreham to a gas-fired facility.

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