



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

OFFICE OF THE  
GENERAL COUNSEL

June 30, 2004

Roseann B. MacKechnie, Clerk  
United States Court of Appeals  
For the Second Circuit  
United States Court House  
40 Foley Square  
New York, New York 10007

Attention: Tynetta Wilder-Hope, Deputy Clerk

RE: *Connecticut Coalition Against Millstone v. NRC*, Case No. 04-0109

VIA OVERNIGHT MAIL

Dear Ms. MacKechnie,

This letter transmits the original and four copies of the Respondents' "Motion For Extension of Time To File Respondents' Brief" and a Certificate of Service. Please file-stamp the extra copy of this letter to indicate date of filing and return it to me in the enclosed pre-paid envelope.

Respectfully,

A handwritten signature in cursive script that reads "Geraldine R. Fehst".

Geraldine R. Fehst  
Attorney  
(301) 415-1614  
GRF@NRC.GOV

Enclosures: As stated

cc: Nancy Burton, Esq.  
David Repka, Esq.  
Greer Goldman, Esq. (U.S. DOJ)  
Ann E. Peterson, Esq. (U.S. DOJ)

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse at Foley Square 40 Centre Street, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Caption [use short title]

Docket Number(s): 04-0109

Connecticut Coalition

Motion for: Extension of Time

v.

Set forth below precise, complete statement of relief sought: Relief sought is for an extension of time

NRC

to August 6, 2004 to file respondents' brief in this case.

U.S. Nuclear Regulatory Commission

MOVING PARTY: and United States of America

OPPOSING PARTY: Connecticut Coalition Against Millstone

- Plaintiff Defendant Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Geraldine R. Fehst

OPPOSING ATTORNEY [Name]: Nancy Burton

[name of attorney, with firm, address, phone number and e-mail] Geraldine R. Fehst U.S. Nuclear Regulatory Commission 11555 Rockville Pike Rockville, MD 20852-2738 grf@nrc.gov

[name of attorney, with firm, address, phone number and e-mail] Nancy Burton 147 Cross Highway Redding Ridge, CT 06876 (202) 938-3952 nancyburtonesq@aol.com

Court-Judge/Agency appealed from: U.S. Nuclear Regulatory Commission

Please check appropriate boxes:

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:

Has consent of opposing counsel: A. been sought? B. been obtained?

Has request for relief been made below? Has this relief been previously sought in this Court?

Is oral argument requested? (requests for oral argument will not necessarily be granted)

Requested return date and explanation of emergency:

Has argument date of appeal been set? If yes, enter date

Signature of Moving Attorney: [Signature]

Date: June 30, 2004

Has service been effected? [Attach proof of service]

ORDER

IT IS HEREBY ORDERED THAT the motion is GRANTED DENIED.

FOR THE COURT: ROSEANN B. MacKECHNIE, Clerk of Court

Date:

By:



Neither counsel for Petitioner, Nancy Burton, nor counsel for the Intervenor, Dominion Nuclear Connecticut, Inc., David A. Repka, have any objection to this motion. A declaration accompanies this motion.

U.S. Nuclear Regulatory Commission

By: 

Geraldine R. Fehst, Attorney  
U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
(301) 415-1614  
GRF@NRC.GOV

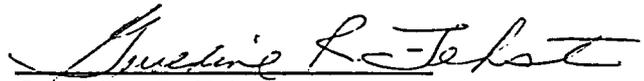
Dated: June 30, 2004



the preparation of the Brief, and to provide sufficient time to coordinate with attorneys from the U.S. Department of Justice, Environment and Natural Resources Division, prior to filing the Brief.

6. Neither counsel for the Petitioner, Nancy Burton, nor counsel for the Intervenor, Dominion Nuclear Connecticut, David Repka, have any objection to this motion.

7. As set forth in 28 U.S.C. 1746, I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Executed on June 30, 2004.

  
Géraldine R. Fehst

Date: June 30, 2004

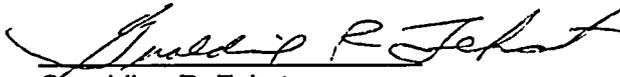
**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing "Motion For Extension of Timer to File Respondents' Brief" was delivered to the U.S. Postal Service, postage pre-paid, First Class, on June 30, 2004, for service upon the following:

Nancy Burton  
147 Cross Highway  
Redding Ridge, Ct, 06876

David A. Repka, Esq.  
Winston and Strawn  
1400 L Street NW  
Washington D.C. 20005-3502

Greer Goldman, Esq.  
Ann E. Peterson, Esq.  
Appellate Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
PO Box 23795  
Washington D.C. 20026-3795

  
Geraldine R. Fehst