

October 5, 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

ENERGY NUCLEAR VERMONT YANKEE, L.L.C.
and ENERGY NUCLEAR OPERATIONS, INC.

(Vermont Yankee Nuclear Power Station)

ASLBP No. 04-832-02-
OLA
Docket No. 50-271

DOCKETED
USNRC

October 6, 2004 (7:15AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Administrative Judges
Alex S. Carlin, Chair
Dr. Anthony J. Barrata
Lester S. Rubenstein
United States Nuclear Regulatory Commission
Washington, DC 20555-0001

**NEW ENGLAND COALITION'S REQUEST FOR EXTENSION OF TIME
IN WHICH TO FILE REPLY**

Gentlemen,

New England Coalition respectfully requests an extension of time in which to file Reply to NRC Staff and Entergy Answers to New England Coalition's Request for A Hearing in the above captioned matter.

New England Coalition filed its Request For a Hearing on August 30, 2004. On September 30, 2004, NRC Staff and Entergy answered. Both Answers were voluminous and detailed. Service was timely provided via e-mail on the afternoon of Wednesday, September 29, 2004. New England Coalition immediately began work on a Reply. However, on Thursday afternoon, September 30, 2004, the main board on the computer of New England Coalition's *pro se* representative failed denying access to all files related to this docket; including back-up files.

New England Coalition diligently pursued repair and replacement of this computer and the salvage of information contained on the computer's hard drive, the computer being carried to a repair facility on the night of September 30, 2004. Late Friday, October 1, 2004, it was discovered that repairs, the merging of the salvaged hard drive from the failed computer with replacement machine, were unsuccessful. A new computer was delivered the afternoon of Monday, October 4, 2004. Complete salvage of the damaged contents of the original hard drive was not completed and usability restored by technicians until late this afternoon, October 5, 2004.

While New England Coalition had done much to prepare its Reply, it was also plain that there would not be sufficient time to reference relevant computer files and produce an acceptable Reply by the established deadline of October 6, 2004.

New England Coalition then polled the other parties to see if an extension of time until Monday, October 11, 2004, would be acceptable to them.

NRC Staff, Entergy, and the State of Vermont were unanimous in stating that they would offer no objection to an extension of time until Monday, October 11, 2004, for the reasons stated above. Wherefore, New England Coalition respectfully requests that this Atomic Safety Licensing Board Panel grant an extension of time for Reply until Monday, September 11, 2004.

The State of Vermont stated that, due to the voluminous and complex nature of the Answers, it too would request that any extension also be accorded to the State.¹ New England Coalition supports this request from the State.

New England Coalition now eagerly awaits your decision. Thank you for your kind attention.

Sincerely,



Raymond Shadis
Pro Se Representative
New England Coalition
Post Office Box 98
Edgecomb, Maine 04556
207-882-7801
shadis@prexar.com

Copies of this letter have been provided to all parties via e-mail and US Mail.

¹ More precisely, the State's position is: The Department of Public Service has no objection to the NEC request to extend the filing date for Replies to Monday, October 11, 2004. The Department assumes that this extension will apply to Replies from all parties. If that is not the case, the Department would like immediate notification. (Emphasis Added)

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YANKEE, LLC and ENTERGY)	
NUCLEAR OPERATIONS, INC.)	ASLB No. 04-832-02-OLA
(Vermont Yankee Nuclear Power Station))	
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "New England Coalition Request for Extension of Time in which to File Reply" served on the persons listed below by deposit in the U.S. Mail, first class, postage prepaid, this 6th Day of October , 2004, and where indicated by an asterisk by electronic mail on October 5, 2004.

***Administrative Judge**
Alex S. Karlin, Chair
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
ask2@nrc.gov

***Administrative Judge**
Dr. Anthony J. Baratta
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
ajb5@nrc.gov

***Secretary**
Att'n: Rulemakings and Adjudications Staff
Mail Stop O-16 C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
secy@nrc.gov, hearingdocket@nrc.gov

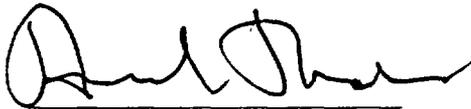
***Administrative Judge**
Lester S. Rubenstein
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Atomic Safety and Licensing Board
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NUCLEAR OPERATIONS, INC.)	
(Vermont Yankee Nuclear Power Station))	

Rulemaking and Adjudications Staff
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Rulemaking and Adjudications Staff.

Enclosed, Please find for filing in the above captioned matter an original and two copies of New England Coalition's Request for Extension of Time in Which to File Reply.

Thank you for your kind attention.

Sincerely,



Raymond Shadis
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