

October 6, 2004 (12:39PM)

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

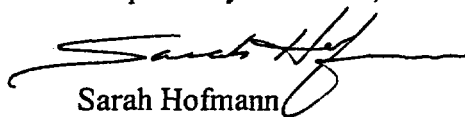
In the Matter of)	
)	Docket No. 50-271
ENTERGY NUCLEAR VERMONT)	
YANKEE LLC AND ENTERGY NUCLEAR)	ASLBP No. 04-832-02-OLA
OPERATIONS, INC.)	
(Vermont Yankee Nuclear Power Station))	

STIPULATION AND REQUEST FOR APPROVAL

Now comes the Petitioner, the Vermont Department of Public Service ("DPS"), and presents a Stipulation of the Parties and requests approval of the Stipulation. On October 5, 2004, the New England Coalition ("NEC") filed a request for additional time to file its Reply, extending the deadline from October 6, 2004 to October 11, 2004. No party objected to that request. Although the DPS did not intend to ask for an extension on its own behalf, it did assume that the filing date would be the same for both Replying parties. However, Entergy Nuclear Vermont Yankee and Entergy Nuclear Operations, Inc. ("Entergy"), did contact counsel for DPS on the morning of October 6, 2004, and expressed concern in terms of Entergy's preparation time for the prehearing conference call scheduled for October 13, 2004 if both Replies were not filed until Monday, October 11, 2004. Subsequent to that contact, the Department, Entergy, NRC Staff and NEC all agreed by telephone conversation that the Department could file its Reply on or before close of business on October 7, 2004.

WHEREFORE, the Department requests approval by the Atomic Safety and Licensing Board of the agreed upon filing date for the Department's Reply.

Respectfully submitted,


Sarah Hofmann
Special Counsel
Department of Public Service
112 State Street - Drawer 20
Montpelier, VT 05620-2601

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CERTIFICATE OF SERVICE

I hereby certify that copies of Stipulation and Request for Approval in the captioned proceeding has been served on the following by deposit in the United States mail, first class, postage prepaid, and where indicated by an asterisk by electronic mail, this 6th day of October, 2004.

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

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

Lester S. Rubenstein*
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: lesrrr@msn.com

Office of the Secretary*
ATTN: Rulemaking and Adjudications Staff
Mail Stop: O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: HEARINGDOCKET@nrc.gov

Office of Commission Appellate
Adjudication
Mail Stop: O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

John M. Fulton, Esq.*
Assistant General Counsel
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

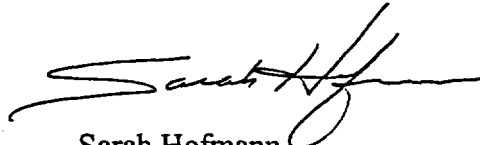
Jay E. Silberg, Esq.*
Matias Travieso-Diaz, Esq.*
Shaw Pittman, LLP
2300 N St., NW
Washington, DC 20037-1128
E-mail: jay.silberg@shawpittman.com
matias.travieso-diaz@shawpittman.com

Anthony Z. Roisman, Esq.*
National Legal Scholars Law Firm
84 East Thetford Rd.
Lyme, NH 03768
E-mail: aroisman@valley.net

Raymond Shadis*
Staff Technical Advisor
New England Coalition
P.O. Box 98
Edgecomb, ME 04556
E-mail: shadis@prexar.com

Brooke Poole, Esq.*
Robert Weisman, Esq.*
Marisa Higgins, Esq.*
Office of the General Counsel
Mail Stop 0-15 D21
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
bdp@nrc.gov, rmw@nrc.gov, mch5@nrc.gov

Respectfully submitted,



Sarah Hofmann
Special Counsel

112 STATE STREET
DRAWER 20
MONTPELIER VT 05620-2601
TEL: (802) 828-2811



FAX: (802) 828-2342
TTY (VT): 1-800-734-8390
e-mail: vtdps@psd.state.vt.us
Internet: <http://www.state.vt.us/psd>

**STATE OF VERMONT
DEPARTMENT OF PUBLIC SERVICE**

October 6, 2004

Office of the Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Attention: Rulemaking and Adjudications Staff

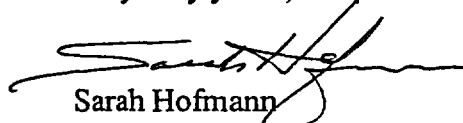
Re: Docket No. 50-271 ASLBP No. 04-832-02-OLA: Extended Power Uprate at
Vermont Yankee Nuclear Power Station

Dear Sir/Madam:

Please find enclosed for filing an original and two copies of the Vermont Department of Public Service's Stipulation and Request for Approval and Certificate of Service.

If you have any questions about this filing, please call me at 802-828-3088. Thank you for your assistance in making this filing.

Very truly yours,


Sarah Hofmann
Special Counsel

cc: Attached Certificate of Service