



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

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U.S. COURT OF APPEALS
10TH CIRCUIT
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OFFICE OF THE
GENERAL COUNSEL

April 8, 2004

Patrick J. Fisher, Jr., Clerk
U.S. Court of Appeals for the
Tenth Circuit
Byron White United States Courthouse
Denver, CO 80257

RE: Entry of Appearance, *State of Oklahoma v. NRC*, Nos. ~~04-9503~~ and 04-9523
(consolidated) (10th Circuit)

Dear Mr. Fisher:

I am in receipt of your letter dated March 30, 2004, informing the Respondent Nuclear Regulatory Commission that it failed to comply with 10th Cir. R. 46.1 by not filing an entry of appearance in No. 04-9523, *State of Oklahoma v. NRC*. Please note that the Nuclear Regulatory Commission has already entered an appearance in No. 04-9503, which has been consolidated with No. 04-9523 by an order of the Court dated March 17, 2004. The NRC considers this previous entry of appearance sufficient to comply with the 10th Circuit's rules, however, I am filing another entry of appearance in response to your recent letter.

Please date-stamp the additional copy of this letter to indicate date of receipt and return it to me in the enclosed postage-paid envelope at your convenience.

Sincerely,

Jared K. Heck
Attorney
Office of the General Counsel

FILED
United States Court of Appeals
Tenth Circuit

Enc.: as stated.

APR 9 2004

cc: service list

PATRICK FISHER
Clerk

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[Handwritten initials]