

July 12, 2005 (9:50am)

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

**OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF**

**Before Administrative Judges:
E. Roy Hawkens, Presiding Officer
Dr. Richard F. Cole, Special Assistant
Dr. Robin Brett, Special Assistant**

In the Matter of:)	
)	
)	Docket No.: 40-8968-ML
Hydro Resources, Inc.)	
P.O. Box 777)	Date: July 6, 2005
Crownpoint, NM 87313)	

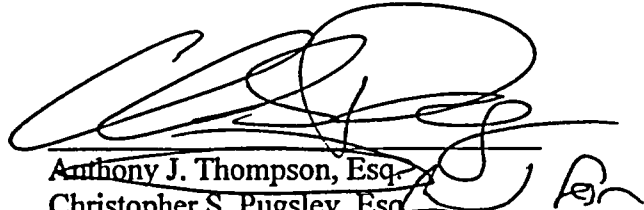
**HYDRO RESOURCES, INC.'S NOTICE OF INTENT TO ARGUE LAW OF THE
CASE OR COLLATERAL ESTOPPEL**

Hydro Resources, Inc. (HRI), by its undersigned counsel of record, hereby submits this Notice of Intent regarding its responses to Intervenor's two (2) recently filed written presentations dated June 13, 2005 and June 27, 2005. HRI's responses to each of these written presentations are to be filed on July 28, 2005 and July 29, 2005 respectively.

Currently, HRI is evaluating the viability of legal arguments regarding law of the case and collateral estoppel for its responses to Intervenor's June 13, 2005, written presentation regarding air emissions for the Church Rock Section 17 site and its June 27, 2005 written presentation regarding environmental impact statement (EIS) adequacy for the Church Rock Section 17, Unit One, and Crownpoint sites. HRI has not yet determined whether such legal arguments will be presented in its responses. HRI asserts that the Presiding Officer's November 5, 2004 Order supersedes the Order of May 25,

2001, which required notice of intent to raise such legal arguments. However, in the interest of fairness, HRI hereby provides all parties with notice that it is contemplating presenting such legal arguments in response to Intervenors' written presentations regarding air emissions and EIS adequacy.

Respectfully Submitted,

A large, stylized handwritten signature in black ink, appearing to read 'AJT', is written over the typed name of Anthony J. Thompson.

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NUCLEAR REGULATORY COMMISSION

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Before Administrative Judges:
E. Roy Hawkins, Presiding Officer
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In the Matter of:
Hydro Resources, Inc.
P.O. Box 777
Crownpoint, NM 87313

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) Docket No.: 40-8968-ML
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) Date: July 6, 2005
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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Hydro Resources, Inc.'s Notice of Intent to Argue Law of the Case or Collateral Estoppel in the above-captioned matter has been served upon the following via electronic mail and U.S. First Class Mail on this 6th day of July, 2005.

Administrative Judge
E. Roy Hawkins
Atomic Safety and Licensing Board
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Email: erh@nrc.gov

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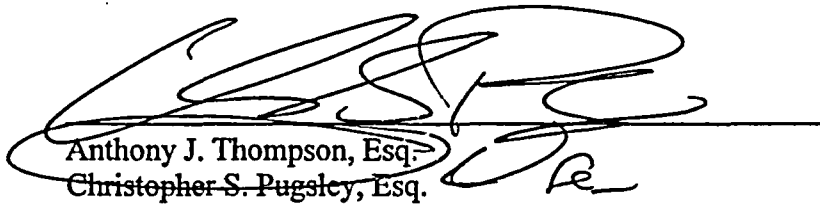
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A large, stylized handwritten signature in black ink, appearing to read 'AJT', is written over a horizontal line. The signature is positioned above the contact information for Anthony J. Thompson.

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~~Christopher S. Pugsley, Esq.~~
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(hydro resourcesCERTIFICATEOFSERVICE 6-17-05.doc)

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July 6, 2005

BY ELECTRONIC MAIL, U.S. FIRST CLASS MAIL

U.S. Nuclear Regulatory Commission
Office of the Secretary
Attn: Rulemaking and Adjudications Staff
Mail Stop: OWFN-16C1
Washington, DC 20555

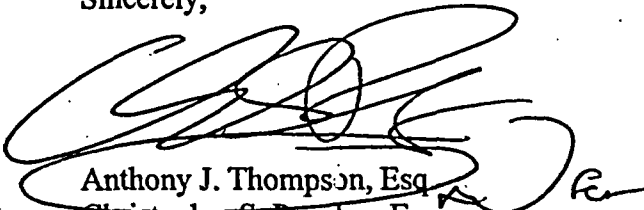
Re: In the Matter of: Hydro Resources, Inc.
Docket No: 40-8968-ML

Dear Sir or Madam:

Please find attached for filing Hydro Resources, Inc.'s Notice of Intent to Argue Law of the Case or Collateral Estoppel in the above-captioned matter. Copies of the enclosed have been served on the parties indicated on the enclosed certificate of service. Additionally, please return a file-stamped copy in the self-addressed, postage prepaid envelope attached herewith.

If you have any questions, please feel free to contact me at (202) 496-0780.
Thank you for your time and consideration in this matter.

Sincerely,



Anthony J. Thompson, Esq.
Christopher S. Pugsley, Esq.
Thompson & Simmons, PLLC.
Counsel of Record to HRI

Enclosures

(hydro resourcesCOVERLETTTER 7-6-05.doc)