



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 16, 2005

DOCKETED
USNRC

December 16, 2005 (2:33pm)

SECRETARY

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

SERVED December 16, 2005

The Honorable John W. Olver
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Olver:

This is a response to your letter dated November 9, 2005, addressed to Chairman Nils J. Diaz, in which you urge an Independent Safety Assessment of the Vermont Yankee Nuclear Power Station as part of the consideration by the NRC of the proposed power uprate for Vermont Yankee. Your letter has been referred to the NRC staff. The staff will address your specific concerns in a direct reply.

Currently, contentions addressing the power uprate for Vermont Yankee are before an Atomic Safety and Licensing Board in a contested proceeding. Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that the Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission.

A copy of your letter and this response, as well as, the response of the NRC staff when issued will be served on the participants in the Vermont Yankee proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook".

Annette L. Vietti-Cook

cc: Vermont Yankee Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
ENTERGY NUCLEAR VERMONT YANKEE L.L.C.) Docket No. 50-271-OLA
and ENTERGY NUCLEAR OPERATIONS, INC.)
)
Vermont Yankee Nuclear Power Station))
)
(Operating License Amendment))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM ANNETTE L. VIETTI-COOK TO REPRESENTATIVE JOHN W. OLVER DATED DECEMBER 16, 2005 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Alex S. Karlin, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Anthony J. Baratta
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Lester S. Rubenstein
4270 E Country Villa Drive
Tucson, AZ 85718

Robert M. Weisman, Esq.
Sherwin E. Turk, Esq.
Jason C. Zorn, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Raymond Shadis
New England Coalition
P.O. Box 98
Edgecomb, ME 04556

Docket No. 50-271-OLA
LETTER FROM ANNETTE L. VIETTI-COOK TO REPRESENTATIVE
JOHN W. OLVER DATED DECEMBER 16, 2005

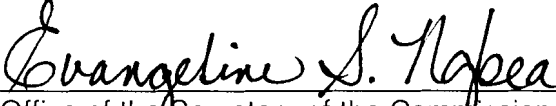
John M. Fulton, Esq.
Assistant General Counsel
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Anthony Z. Roisman, Esq.
National Legal Scholars Law Firm
84 East Thetford Rd.
Lyme, NH 03768

Jonathan M. Rund, Esq.
Law Clerk
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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

Jay E. Silberg, Esq.
Matias F. Travieso-Diaz, Esq.
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, NW
Washington, DC 20037-1128


Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 16th day of December 2005