



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 16, 2005

DOCKETED  
USNRC

December 16, 2005 (2:33pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

**SERVED December 16, 2005**

SECRETARY

The Honorable James M. Jeffords  
United States Senate  
Washington, D.C. 20510

Dear Senator Jeffords:

This is a response to your letter dated November 10, 2005, addressed to Chairman Nils J. Diaz, in which you request an evaluation by the NRC of the condition of the steam dryer at the Vermont Yankee Nuclear Power Station. You emphasized that it is essential that your constituents receive information on the condition of the steam dryer during 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 L. 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 ENERGENCY 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 SENATOR JAMES M. JEFFORDS 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 SENATOR  
JAMES M. JEFFORDS 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 16<sup>th</sup> day of December 2005