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January 4, 2006

Roseann B. MacKechnie, Clerk
U.S. Court of Appeals for the Second Circuit
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *County of Suffolk v. U.S. Nuclear Regulatory Commission*
Docket No. 05-6684-ag
Unopposed Motion of Dominion Nuclear Connecticut For Leave To Intervene

Dear Ms. MacKechnie:

Pursuant to Federal Rules of Appellate Procedure 15(d), 26.1 and 27, and Local Rule 27, please find enclosed for filing an original and four (4) copies of the Unopposed Motion of Dominion Nuclear Connecticut, Inc. ("DNC") For Leave To Intervene in Case No. 05-6684-ag, as well as four copies of DNC's Corporate Disclosure Statement.

You will also find enclosed a duplicate copy of DNC's Motion for Leave to Intervene and Corporate Disclosure Statement. Please date-stamp this copy and return it in the enclosed, self-addressed stamped envelope. Thank you for your assistance.

Sincerely,

David R. Lewis
Counsel for Dominion Nuclear Connecticut, Inc.

Enclosures

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse at Foley Square, 40 Centre Street, New York, NY 10007, Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 05-6684-ag

Caption (use short title)

County of Suffolk v.
U.S. Nuclear Regulatory Commission

Motion for: Leave to Intervene

Set forth below precise, complete statement of relief sought:

Dominion Nuclear Connecticut, Inc., the majority owner and operator of the Millstone Power Station, and the applicant in the administrative proceeding to which the Petition for Review relates, seeks to intervene as a party-respondent.

Moving Party: Dominion Nuclear Connecticut, Inc.

Opposing Party: County of Suffolk

(name of attorney, with firm, address, phone and email)

David R. Lewis
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(name of attorney, with firm, address, phone and email)

Christine Malafi
County of Suffolk, New York
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788-0099
(631) 853-4049
christine.malafi@suffolkcounty.gov

Court-Judge/Agency appealed from: U.S. Nuclear Regulatory Commission

Please check appropriate boxes:

Has consent of opposing counsel:

A. been sought? ☒ Yes ☐ No
B. been obtained? ☒ Yes ☐ No

Is oral argument requested? ☐ Yes ☒ No
(requests for oral argument will not necessarily be granted)

Has argument date of appeal been set? ☐ Yes ☒ No
If yes, enter date _____

Signature of Moving Attorney:



David R. Lewis Date: January 4, 2006

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS
AND INJUNCTIONS PENDING APPEAL:

Has request for relief been made below? ☐ Yes ☐ No
Has relief been previously sought in
This court? ☐ Yes ☐ No

Requested return date and explanation of emergency:

Has service been effected? ☒ Yes ☐ No
(attach proof of service)

ORDER

IT IS HEREBY ORDERED THAT the motion is GRANTED

DENIED

FOR THE COURT:

ROSEANN B. MacKECHNIE, Clerk of Court

Date: _____

By: _____

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UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

COUNTY OF SUFFOLK,
Petitioner

v.

U.S. NUCLEAR REGULATORY COMMISSION,
DOMINION NUCLEAR CONNECTICUT,
UNITED STATES OF AMERICA,
Respondents

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) No. 05-6684-ag
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UNOPPOSED MOTION OF
DOMINION NUCLEAR CONNECTICUT, INC
FOR LEAVE TO INTERVENE

Dominion Nuclear Connecticut, Inc., ("DNC") respectfully moves, pursuant to 28 U.S.C § 2348 and F.R.A.P 15(d), for leave to intervene in the above-entitled action. Although DNC is already named as a Respondent in the County of Suffolk's Petition for Review, 28 U.S.C. § 2344 and F.R.A.P. 15(a)(2)(B) suggest that the action is against the United States and Nuclear Regulatory Commission. Accordingly, Dominion files this motion to ensure its ability to participate as an intervenor-respondent in this action.

In support of this motion, DNC states the following:

1. Petitioner County of Suffolk ("Suffolk") is seeking review of a Memorandum and Order of the Nuclear Regulatory Commission ("NRC") that denied a late request by Suffolk to intervene in an NRC proceeding concerning DNC's application to renew the operating licenses for the Millstone Power Station, Units 2 and 3.

2. DNC is the NRC-licensed operator of the Millstone Power Station, the sole owner of Unit 2, and the majority owner of Unit 3. Suffolk's challenge to the NRC's Memorandum and

Order directly affects these units. Thus, DNC has a substantial, direct and tangible interest in the ultimate resolution of this proceeding. As the applicant for the renewed operating licenses, DNC was a party to the proceeding before the NRC. Although the NRC is a Respondent with respect to Suffolk's petition for review, DNC has a separate interest apart for the regulatory interests of the NRC. It is therefore submitted that DNC is entitled to intervene in this proceeding.

3. Counsel for the NRC and Counsel for Suffolk have authorized DNC to state that their clients do not oppose DNC's intervention in this matter.

Wherefore, DNC requests that it be granted leave to intervene as a party respondent in the above captioned proceeding.

Respectfully submitted,



David R. Lewis.
Matias Travieso-Diaz.

Lillian M. Cuoco
Dominion Resources Services, Inc.
Millstone Power Station
Rope Ferry Road
Waterford, CT 06835
(860) 444-5316

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(202) 663-8474

Counsel for Dominion Nuclear Connecticut, Inc.

Dated: January 4, 2006

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

COUNTY OF SUFFOLK,
Petitioner

v.

U.S. NUCLEAR REGULATORY COMMISSION,
DOMINION NUCLEAR CONNECTICUT,
UNITED STATES OF AMERICA
Respondents

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) No. 05-6684-ag
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**CORPORATE DISCLOSURE STATEMENT OF
DOMINION NUCLEAR CONNECTICUT, INC**

Pursuant to Fed. R. App. P. 26.1, Dominion Nuclear Connecticut, Inc. ("DNC") hereby files this Disclosure Statement.

DNC is a corporation organized under the laws of the State of Delaware, with its principal place of business in Connecticut. DNC is the licensed owner and operator of Millstone Power Station, Units 1, 2 and 3, and is principally engaged in the business of generating electricity.

DNC is an indirect wholly-owned subsidiary of Dominion Resources, Inc. ("DRI"). DNC is owned directly by Dominion Energy Marketing, Inc. and Dominion Nuclear Marketing III, L.L.C., which collectively own 100 percent of DNC's stock. Other intermediate subsidiaries in the organization between DRI and one or more of the two direct owners of DNC are: Dominion Energy, Inc.; Dominion Nuclear Holdings, Inc.; Dominion Retail, Inc.; and

Consolidated Natural Gas Company. There are no other publicly held corporations owning ten percent or more of DNC's stock.

Respectfully submitted,

By: 

David R. Lewis
Matias Travieso-Diaz

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2300 N. Street, N.W.
Washington, D.C. 20037
(202) 663-8474

Counsel for Dominion Nuclear Connecticut Inc.

Dated: January 4, 2006

CERTIFICATE OF SERVICE

I hereby certify that true copies of the foregoing pleadings were served upon the following by deposit in the United States mail, first class, postage prepaid, on this 4th day of January, 2006.

John F. Cordes, Esq.
Solicitor
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Environmental Division, Appellate Section
U.S. Department of Justice
Washington, D.C. 20530

Jared Heck, Esq.
Office of the Solicitor
U.S. Nuclear Regulatory Commission
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100 Veterans Memorial Highway
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Mauppauge, NY 11788-0099



David R. Lewis
Counsel for Dominion Nuclear Connecticut, Inc.