

April 20, 2006

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

DOCKETED  
USNRC

Before the Atomic Safety and Licensing Board

April 20, 2006 (4:44pm)

In the Matter of )

ENTERGY NUCLEAR VERMONT )

YANKEE, LLC and ENTERGY )

NUCLEAR OPERATIONS, INC. )

(Vermont Yankee Nuclear Power Station) )

Docket No. 50-271

ASLBP No. 04-832-02-OLA

(Operating License Amendment)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

**ENTERGY'S UNOPPOSED MOTION FOR AN EXTENSION OF THE TIME TO  
ANSWER NEW ENGLAND COALITION'S PROPOSED NEW CONTENTION**

Pursuant to 10 C.F.R. §§ 2.323(b) and 2.332, Applicants Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. ("Entergy") request a ten-day extension of the time in which to respond to the New England Coalition's ("NEC") Request for Leave to File a New Contention ("Request"), which was filed electronically today. Under the Commission rules and the practice in this proceeding, responses by other parties to NEC's Request would be due in twenty-five days, *i.e.*, on May 15, 2006. *See, e.g.*, Tr. 767.

According to the Revised Scheduling Order issued by the Atomic Safety and Licensing Board ("Board") on April 13, 2006, the parties are required to file on May 17, 2006, written statements of position and written testimony with supporting affidavits with respect to the four contentions already admitted for litigation in this proceeding. This is a major undertaking that will require significant efforts by counsel and the testifying witnesses to prepare and finalize the various submittals, particularly in the days preceding the filing due date.

There is, therefore, a potential conflict between the need to complete the preparation of the written statements of position and written testimony due on May 17 and the development of a

response to NEC's Request, due two days earlier. To resolve this conflict, Entergy moves the Board for a ten-day extension, until May 25, 2006, of the date in which responses to NEC's Request are due. NEC's reply to those responses would be due on June 1, 2006.

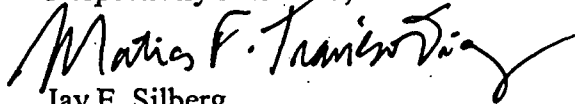
The change sought in the due date to respond to NEC's Request will not adversely impact the conduct of the case. The parties will still have sufficient time to file the written responses and rebuttal testimony that are due on June 14, 2006. The Board will also have ample time to prepare for the evidentiary hearings on the admitted contentions, set for the weeks of September 10, 2006 and October 15, 2006. On the other hand, the proposed schedule extension will assure that sufficient time is available for the parties to fully develop testimony while also providing an adequate response to NEC's proposed new contention.

For the reasons stated, Entergy requests that the Board grant an extension, until May 25, 2006, of the time in which parties may file responses to NEC's Request, with NEC's reply to such responses being due on June 1, 2006.

#### CERTIFICATION

Pursuant to 10 C.F.R. § 2.323(b), Entergy certifies that it discussed the instant motion with the other parties during the Prehearing Conference held on April 20, 2006 and no party objected to the granting of the relief sought herein.

Respectfully submitted,



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(Vermont Yankee Nuclear Power Station) )

) Docket No. 50-271

) ASLBP No. 04-832-02-OLA  
) (Operating License Amendment)  
)

**CERTIFICATE OF SERVICE**

I hereby certify that copies of "Entergy's Unopposed Motion for an Extension of the Time to Answer New England Coalition's Proposed New Contention" were served on the persons listed below by deposit in the U.S. mail, first class, postage prepaid, and where indicated by an asterisk by electronic mail, this 20th day of April, 2006.

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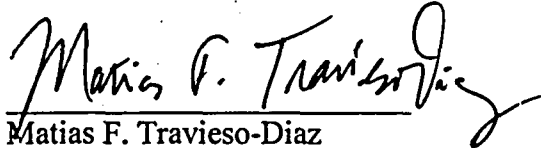
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