

RAS 11657



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May 9, 2006

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Administrative Judge Alex S. Karlin, Chairman
Administrative Judge Anthony J. Baratta
Administrative Judge Lester S. Rubenstein
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, DC 20555-0001

DOCKETED
USNRC

May 9, 2006 (4:40pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

**In the Matter of Entergy Nuclear Vermont Yankee LLC and
Entergy Nuclear Operations, Inc. (Vermont Yankee Nuclear
Power Station) -- Docket No. 50-271-OLA**

Dear Chairman Karlin and Judges Baratta and Rubenstein:

Enclosed is the signature page of the Addendum to the DPS – VY Entergy MOU with the original signature of Jay Silberg on behalf of Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc.

Sincerely,

Matias F. Travieso-Diaz
Counsel for Entergy Nuclear Vermont
Yankee, LLC and Entergy Nuclear
Operations, Inc.

Enclosure

cc: Service List

Template = SECY-043

SECY-02

ADDENDUM TO MOU

This is an Addendum to the Memorandum of Understanding ("MOU") dated May 2, 2006 between Entergy Nuclear Vermont Yankee LLC and Entergy Nuclear Operations, Inc. (collectively "VY Entergy") and the Vermont Department of Public Service ("DPS").

VY Entergy and DPS agree that the following four paragraphs are added to the MOU dated May 2, 2006, and that they should be considered part of the original MOU:

12. The parties to this MOU acknowledge that the NRC and the Board appointed to hear *In Re: Entergy Nuclear Vermont Yankee LLC and Entergy Nuclear Operations, Inc. (Operating License Amendment)*, Docket No. 50-271-OLA (ASLBP No. 04-832-02-OLA) have jurisdiction over the parties and over the subject matter of this MOU, including jurisdiction to take the actions sought in the attached Notice of Withdrawal and Request for Dismissal of Contentions of the Vermont Department of Public Service (Notice of Withdrawal).

13. With regard to this MOU, the parties to it expressly waive any and all further procedural steps before the Board or any right to challenge or contest the validity of any order entered by the Board in accordance with this MOU, and waive all rights to seek judicial review or otherwise to contest the validity of any order entered by the Board so long as such order is fully consistent with each provision of this MOU.

14. An order entered by the Board in accordance with this MOU will have the same force and effect as an order entered after full hearing.

15. All matters referred to in the MOU and the Notice of Withdrawal that were required to be adjudicated have been resolved by the MOU and by an order entered by the Board in accordance with the MOU.

Dated at Montpelier, this 9th day of May, 2006.

VERMONT DEPARTMENT OF PUBLIC SERVICE

By: _____
Name: Sarah Hofmann
Title: Director for Public Advocacy

ENERGY NUCLEAR VERMONT YANKEE, LLC

By: Jay E. Silberg
Name: Jay E. Silberg
Title: Counsel

ENERGY NUCLEAR OPERATIONS, INC.

By: Jay E. Silberg
Name: Jay E. Silberg
Title: Counsel