

**RAS 12194**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 09/05/06**

ATOMIC SAFETY AND LICENSING BOARD

**SERVED 09/05/06**

Before Administrative Judges:

Alex S. Karlin, Chairman  
Dr. Richard E. Wardwell  
Dr. Thomas S. Elleman

In the Matter of

ENTERGY NUCLEAR VERMONT YANKEE,  
LLC, and  
ENTERGY NUCLEAR OPERATIONS, INC.

(Vermont Yankee Nuclear Power Station)

Docket No. 50-271-LR

ASLBP No. 06-849-03-LR

September 5, 2006

MEMORANDUM

(Notice Regarding 10 C.F.R. § 2.309(i))

The Board hereby informs the Commission that the Board will not be able to issue its decision on each request for hearing/petition to intervene within 45 days after the filing of answers and replies, as specified in 10 C.F.R. § 2.309(i). Four petitioners (including three governmental entities) filed a total of eleven contentions, which have now been fully briefed. Subsequently, the parties filed and briefed motions to strike, motions to supplement, and a request to file an amended contention. Board currently anticipates issuing decisions regarding

the petitioners' original hearing requests by September 30, 2006.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>1</sup>

[Original signed by]

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Alex S. Karlin  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
September 5, 2006

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<sup>1</sup> Copies of this order were sent this date by Internet e-mail transmission to counsel or a representative for (1) applicants Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc.; (2) petitioners Town of Marlboro, Vermont, the Massachusetts Attorney General, the State of Vermont Department of Public Service, and the New England Coalition; and (3) the NRC staff.

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NUCLEAR REGULATORY COMMISSION

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ENTERGY NUCLEAR VERMONT YANKEE, )  
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(Vermont Yankee Nuclear Power Station) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM (NOTICE REGARDING 10 C.F.R. § 2.309(i)) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 50-271-LR  
LB MEMORANDUM (NOTICE REGARDING 10 C.F.R. § 2.309(i))

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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 5<sup>th</sup> day of September 2006