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STATE OF VERMONT
DEPARTMENT OF PUBLIC SERVICE

DOCKETED
USNRC

September 06, 2006 (11:18am)

September 6, 2006

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Alex S. Karlin, Chairman
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dr. Anthony J. Baratta
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Lester S. Rubenstein
Administrative Judge
Atomic Safety and Licensing Board Panel
4760 East Country Villa Drive
Tucson, AZ 85718

In the Matter of
Entergy Nuclear Vermont Yankee, LLC, *et al.*
(Vermont Yankee Nuclear Power Station)
Docket No. 50-271-OLA (Extended Power Uprate)

Dear Administrative Judges:

Although the State of Vermont has been allowed to withdraw from this docket, the State is still interested in the proceedings and the evidentiary hearings on NEC Contention 3 commencing on September 13, 2006. I plan to observe the hearings on September 13th and possibly on the 14th. The State Nuclear Engineer, William Sherman, plans to attend on September 15th if the hearings have not already been completed.

In your Order of August 24, 2006, you directed the Parties to provide a list of counsel and authorized representatives who plan to attend the hearings and to identify each of the attendees who has signed the nondisclosure agreement. Although Vermont is no longer a party, we request that we be allowed to remain in the hearing room when the proprietary sessions are conducted. Mr. Sherman and I have each previously signed the Confidentiality and Non-Disclosure Agreement, copies of which are attached.

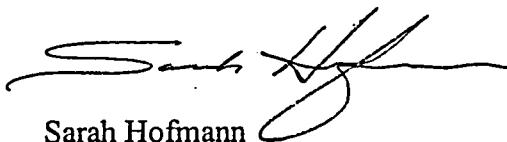
Many thanks to you and to the Parties for considering this request.

TEMPLATE = SECY-043

SECY-02

September 6, 2006

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Hofmann", with a long horizontal flourish extending to the right.

Sarah Hofmann
Director for Public Advocacy
Vermont Department of Public Service

ATTACHMENT A

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

ENTERGY NUCLEAR VERMONT YANKEE
L.L.C.
and
ENTERGY NUCLEAR OPERATIONS, INC.

(Vermont Yankee Nuclear Power Station)

Docket No. 50-271-OLA

ASLBP No. 04-832-02-OLA

CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT

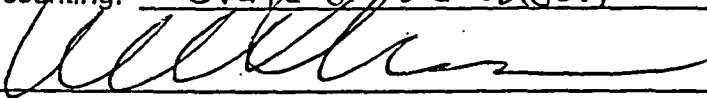
Under penalty of perjury, I hereby certify that: access to Proprietary Documents is provided to me pursuant to the terms and restrictions of the Atomic Safety and Licensing Board's ("Board's") Protective Order, dated March 1, 2005, in this proceeding; that I have been given a copy and have read said protective order; and that I agree to be bound by it. I understand and agree that Proprietary Documents, their contents, or any notes or other memoranda, or any form of information that copies or discloses the contents of the Proprietary Documents, shall be held in confidence and shall not be disclosed to anyone except in accordance with that protective order. I acknowledge that a violation of this agreement or the protective order, which incorporates the terms of this agreement, constitutes a violation of an order of the Nuclear Regulatory Commission and may result in the imposition of such sanctions as the Board or the Commission may deem to be appropriate.

WHEREFORE, I do solemnly agree to protect such Proprietary Documents, and their contents, as may be disclosed to me in this NRC proceeding, in accordance with the terms of this agreement.

Name (printed): William K. Sherman

Title: VT State Nuclear Engineer

Employed by or Representing: State of Vermont

Signature: 

Date: 5-3-05

ATTACHMENT A

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

ENTERGY NUCLEAR VERMONT YANKEE
L.L.C.
and
ENTERGY NUCLEAR OPERATIONS, INC.

(Vermont Yankee Nuclear Power Station)

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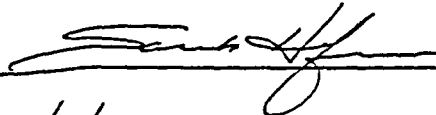
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WHEREFORE, I do solemnly agree to protect such Proprietary Documents, and their contents, as may be disclosed to me in this NRC proceeding, in accordance with the terms of this agreement.

Name (printed): Sarah Hofmann

Title: Director for Public Advocacy

Employed by or Representing: Department of Public Service

Signature: 

Date: 5/3/05

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

| | | |
|--------------------------------|---|-------------------------|
| In the Matter of |) | |
| |) | |
| ENTERGY NUCLEAR VERMONT YANKEE |) | Docket No. 50-271-OLA |
| LLC and ENTERGY NUCLEAR |) | |
| OPERATIONS, INC. |) | ASLBP No. 04-832-02-OLA |
| |) | |
| (Vermont Yankee Uprate) |) | |

CERTIFICATE OF SERVICE

I hereby certify that copies of the Vermont Department of Public Service letter of September 6, 2006 in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class; or as indicated by an asterisk and by e-mail as indicated by an asterisk (*), this 6th day of September, 2006.

Alex S. Karlin, Chair*
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
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Dr. Anthony J. Baratta*
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Lester S. Rubenstein*
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Atomic Safety and Licensing Board Panel
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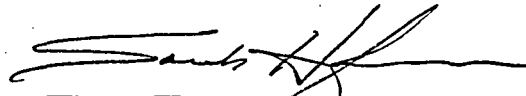
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Sarah Hofmann
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Vermont Department of Public Service