

October 2, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

Before the Atomic Safety and Licensing Board

October 2, 2006 (9:21am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of)	
)	
Entergy Nuclear Vermont Yankee, LLC)	Docket No. 50-271-LR
and Entergy Nuclear Operations, Inc.)	ASLBP No. 06-849-03-LR
)	
(Vermont Yankee Nuclear Power Station))	

ENERGY'S UNOPPOSED MOTION TO DEFER INITIAL DISCLOSURES

Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (hereinafter collectively referred to as "Entergy"), with the consent of the other parties,¹ hereby moves the Atomic Safety and Licensing Board ("Board") to defer all initial disclosures required by 10 C.F.R. § 2.336 and the NRC Staff's provision of the hearing file required by 10 C.F.R. § 2.1203 until after disposition of a petition for interlocutory review of the Board's ruling admitting NEC Contention 1, which Entergy intends to file within the period allowed by 10 C.F.R. § 2.341. To avoid scheduling and logistical complications that would arise if the parties were required to provide initial disclosures on various contentions at different times, the parties have agreed to defer the disclosure obligations of all of the parties, on all of the admitted contentions, as well as the NRC Staff's provision of a hearing file, until after the planned appeal is resolved.

¹ The other parties are the New England Coalition (NEC), the Vermont Department of Public Service (DPS), and the NRC Staff.

The Board may approve this alteration of the schedule pursuant to 10 C.F.R. §§ 2.319(k), 2.332(c), and 2.336(a). The deferral of the disclosure and hearing file obligations would not preclude voluntary disclosures by any party during the deferral period.

In accordance with 10 C.F.R. § 2.323(b), Entergy has consulted with the other parties on this scheduling matter and obtained their consent to the motion. NEC's consent to this motion does not constitute consent to the interlocutory appeal.

Respectfully Submitted,



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Dated: October 2, 2006

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Entergy's Unopposed Motion to Defer Initial Disclosure Obligations" dated October 2, 2006, 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 2nd day of October, 2006.

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