

December 8, 2006

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

DOCKETED  
USNRC

Before the Atomic Safety and Licensing Board

December 8, 2006 (4:44pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

In the Matter of	)	
	)	
Entergy Nuclear Generation Company and	)	Docket No. 50-293-LR
Entergy Nuclear Operations, Inc.	)	ASLBP No. 06-848-02-LR
	)	
(Pilgrim Nuclear Power Station)	)	

**ENERGY'S COMMENTS ON PROPOSED SCHEDULE**

As requested by the Atomic Safety and Licensing Board ("Licensing Board" or "Board") in its Order of November 29, 2006,<sup>1</sup> Entergy Nuclear Generation Company and Entergy Nuclear Operations, Inc. ("Entergy") hereby file these comments regarding "(a) potential dates for a site visit and any further limited appearance sessions, and (b) any other matters regarding the schedule at this point." Order at 2. Entergy would suggest that any site visit desired to be held by the Board be undertaken in the spring (e.g., April). With regard to limited appearance sessions, Entergy does not believe that additional limited appearance sessions are necessary since the Board has already held such a session in conjunction with the pre-hearing conference on the petitions to intervene. If, however, the Board does decide to hold another limited appearance session, the session should be held in conjunction with the hearing as is the typical process.

Also, on another matter regarding the schedule, counsel for Entergy has conferred with the towns of Plymouth and Duxbury on how the disclosure provisions in 10 C.F.R. § 2.336

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<sup>1</sup> Order (Regarding Schedule for Proceeding and Related Matters) (Nov. 29, 2006) ("Order").

should apply to the two towns, and has agreed with the two towns on the following reciprocal arrangement for disclosures between Entergy and the towns:

- Plymouth and Duxbury would not be required to make the disclosures specified in 10 C.F.R. § 2.336 unless and until they decide that they are going to submit testimony advocating a position on one of the contentions (or unless they are otherwise granted party status).
- If Plymouth or Duxbury decides that it will participate by submitting testimony on a Contention, it will 30 days prior to filing such testimony provide the disclosure specified in 10 C.F.R. § 2.336(a)(1) (identifying the testifying expert and bases for the expert's opinion), and include any specific documents upon which the expert witness will rely, but would not have to provide any broader disclosures (i.e. it would not have to attempt to disclose all documents relevant to the admitted contentions).
- Entergy in turn will serve Plymouth and Duxbury with copies of its written disclosures (the pleadings served on the Board and parties), which will include the identification of witnesses and bases for their opinion, but will not provide documents that are provided separately on compact disks to the parties (Pilgrim Watch and the NRC Staff).

This arrangement does not place the burden of document disclosures imposed on “parties” under 10 C.F.R. § 2.336 on the towns but still provides Entergy with the necessary information to prepare its case in the event either Plymouth or Duxbury do decide to present testimony at the hearing. Accordingly, Entergy and the towns of Plymouth and Duxbury request that the above arrangement regarding the towns’ and Entergy’s reciprocal disclosure obligations be incorporated into the Board’s scheduling order for the Pilgrim license renewal proceeding.

Respectfully Submitted,



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Dated: December 8, 2006

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NUCLEAR REGULATORY COMMISSION**

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	)	
(Pilgrim Nuclear Power Station)	)	

**CERTIFICATE OF SERVICE**

I hereby certify that copies of "Entergy's Comments on Proposed Schedule," dated December 8, 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 8th day of December, 2006.

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