

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)	
)	
ENTERGY NUCLEAR VERMONT YANKEE,)	Docket No. 50-271-LR
LLC, and ENTERGY NUCLEAR)	
OPERATIONS, INC.)	ASLBP No. 06-849-03-LR
)	
(Vermont Yankee Nuclear Power Station))	

In the Matter of)	
)	
ENTERGY NUCLEAR GENERATION)	Docket No. 50-293-LR
COMPANY, and ENTERGY NUCLEAR)	
OPERATIONS, INC.)	ASLBP No. 06-848-02-LR
)	
(Pilgrim Nuclear Power Station))	

NRC STAFF MOTION FOR CONSOLIDATION OF FILING DEADLINES

INTRODUCTION

Pursuant to 10 C.F.R. § 2.323, the NRC Staff ("Staff") hereby moves for consolidation of deadlines for answering the Massachusetts Attorney General's Motion for Reconsideration and Clarification of CLI-07-03 and Motion for Leave to File Motion for Reconsideration and Clarification of CLI-07-03 (collectively "the Motion") filed in the above captioned proceedings.

DISCUSSION

The Staff's lead counsel in the Pilgrim proceeding did not receive the Motion via electronic mail on the date it was sent, February 1, 2007. However, a Staff attorney in that proceeding did receive the Motion via electronic mail on February 1, 2007. Therefore, pursuant to 10 C.F.R. § 2.323, the Staff's answer in the Pilgrim proceeding is due on Monday, February 12, 2007. Although the service list indicates electronic mail service, Staff counsel in the Vermont Yankee proceeding did not receive the Motion via electronic mail, but have now

received it through first class mail.¹ Counsel for the Staff and for the Massachusetts Attorney General have agreed to treat the Vermont Yankee filing as if it were served by first class mail. Therefore, pursuant to 10 C.F.R. § 2.306, the Staff's answer in the Vermont Yankee proceeding would be due on Friday, February 16, 2007.

To promote administrative efficiency, the Staff would prefer to file a single, consolidated answer in both proceedings. Counsel for the Massachusetts Attorney General has agreed to the Staff filing a consolidated answer to the Motion on February 16, the current deadline in the Vermont Yankee proceeding.² Counsel for Entergy does not oppose extending the Staff's deadline in the Pilgrim proceeding, and seeks consent to move its deadline to February 16, as well. Counsel for the Massachusetts Attorney General and the Staff do not oppose allowing Entergy to file a consolidated answer on February 16. Therefore, the Staff requests the Commission consolidate the filing deadlines, allowing the Staff and Entergy to file answers to the Motion on Friday, February 16, 2007.

¹ Staff counsel has been informed that the Office of the Secretary also did not receive the Motion by electronic mail.

² Staff counsel has also contacted counsel for the New England Coalition, the Vermont Department of Public Service, the State of New Hampshire, Pilgrim Watch, and the Town of Plymouth, as well as the representative for the Town of Duxbury, none of whom oppose the motion.

CONCLUSION

For the reasons discussed above, the Staff requests the Commission grant its motion, allowing both the Staff and Entergy to file consolidated answers to the Massachusetts Attorney General's Motion on February 16, 2007.

Respectfully submitted,

/RA/

Susan L. Uttal
Counsel for NRC Staff

/RA/

Steven C. Hamrick
Counsel for NRC Staff

Dated at Rockville, Maryland
this 7th day of February, 2007

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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In the Matter of)	
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ENTERGY NUCLEAR OPERATIONS, INC.)	Docket No. 50-293-LR
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(Pilgrim Nuclear Power Station))	ASLBP No. 06-848-02-LR
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the "NRC STAFF MOTION FOR CONSOLIDATION OF FILING DEADLINES" in the above-captioned proceeding have been served on the following by electronic mail and deposit in the U.S. Mail Service or by deposit in the U.S. Nuclear Regulatory Commission's internal mail system as indicated by a single asterisk(*), or by deposit in the U.S. mail system, as indicated by a double asterisk (**) this 7th day of February, 2007.

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OPERATIONS, INC.)	ASLBP No. 06-849-03-LR
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(Vermont Yankee Nuclear Power Station))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the "NRC STAFF MOTION FOR CONSOLIDATION OF FILING DEADLINES" in the above-captioned proceeding have been served on the following by electronic mail with copies by deposit in the NRC's internal mail system by electronic mail, with copies by U.S. mail, first class, as indicated by an asterisk, this 7th day of February, 2007.

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