

OFFICE OF THE CLERK

UNITED STATES COURT OF APPEALS

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FOR THE THIRD CIRCUIT
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April 30, 2007

John A. Covino, Esq.
Office of Attorney General of New Jersey
Department of Law & Public Safety
Division of Criminal Justice
13 Roszel Road
Princeton, NJ 08540

RE: Docket No. 07-2271
NJ Dept Env Prot vs. NRC
Agency No. 50-0219-LR

Dear Counsel:

We have today docketed the above-captioned case, filed by NJ Dept Env Prot, as No. 07-2271. This docket number must appear on all documents related to this case which are submitted to this Court.

Receipt is acknowledged on April 25, 2007 of petition for review for which docketing fee has not been paid.

CAPTION: Attached please find a copy of the full caption as taken from the petition for review or application for enforcement. Please review this attachment carefully and promptly advise this office in writing of any discrepancies.

Please read the following carefully. Each of the following paragraphs identifies a responsibility that must be met immediately.

FEE STATUS:

Payment of the \$450.00 Court of Appeals docket fee is required upon filing a Petition for Review unless you are exempt by order of the Court. Check is to be made payable to Clerk, U.S. Court of Appeals.

If you intend to proceed without paying the fees, it will be necessary for you to file a Motion for Leave to Proceed In Forma Pauperis. Such a motion should consist of an original and three (3) copies, together with an affidavit of poverty (form enclosed) which complies with the provisions of 28 U.S.C. Sec. 1746. A copy of your motion must be sent to opposing counsel and this office must be advised in writing that such service has been made.

Fees must be paid or a motion filed by 5/14/07.

Failure of the petitioner to comply with the date established above will result in DISMISSAL of the case without further notice; pursuant to Third Circuit LAR Misc. 107.

ADMITTANCE REQUIREMENTS FOR ATTORNEYS:

Attorneys (except counsel representing the U.S.A.) must be admitted to practice before this Court in order to enter an appearance or file any documents. Third Circuit LAR 46.1. If you have never been admitted to the bar of this Court, an application form is enclosed which must be completed and returned with your form of appearance. Requirements for admission are set forth in Third Circuit LAR 46.1. The Court will refuse to file any document tendered by an attorney who has not been admitted. The application for admission form must be received in this office by 5/10/07.

APPEARANCE FORM:

All attorneys who represent any party are also required to file the enclosed Form for Appearance of Counsel in each case in which they are involved. Third Circuit LAR 46.2. Any party whose counsel fails to file an appearance within the time indicated will not receive notices or copies of briefs and appendices. The appearance form must be received in this office by 5/10/07. Insofar as counsel must list the parties whom they represent on the appearance form, the filing of this form will be deemed to satisfy the requirement of Rule 12[b], FRAP, without the filing of any additional statement.

DISCLOSURE STATEMENT:

Pursuant to FRAP 26.1 and Third Circuit LAR 26.1.1 a Disclosure Statement (original and four copies) be filed by all parties (except governmental entities) in a case. The Disclosure Statement must be received in this office by 5/10/07.

DOCKETING STATEMENT:

Petitioner must complete and return the Docketing Statement to this office by 5/10/07.

SERVICE OF PETITION:

The respondent(s) listed below are receiving this letter together with a copy of the petition for review.

BRIEFING: Although further information about briefing will be sent when a briefing schedule is entered, please note that in all petitions for review of federal administrative agency actions, or applications for enforcement of agency decisions, the party adverse to the agency will be required to file the opening brief and appendix. Third Circuit LAR 15.1.

RULES AND PROCEDURES:

The Local Appellate Rules (LARs) and the Court's Internal Operating Procedures (IOPs) are printed in several federal publications. Copies of the LARs and the IOPs are available upon written request through the Clerk's office. The most recent amendments to the LARs and IOPs are also available on the Court's website at www.ca3.uscourts.gov.

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 07-2271

NJ Dept Env Prot

vs.

NRC

New Jersey Department of Environmental Protection

Petitioner

(Agency No. 50-0219-LR)

S E R V I C E L I S T

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NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION,

Petitioner

v.

NUCLEAR REGULATORY COMMISSION; AMERGEN ENGERGY COMPANY, LLC,

Respondent