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October 30, 2007

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By Federal Express

Richard Cushing Donovan, Clerk of Court
U.S. Court of Appeals for the First Circuit
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 2500
Boston, MA 02210

Subject: Commonwealth of Massachusetts v. United States Nuclear Regulatory
Commission and the United States of America, Nos. 07-1482, 07-1483
(consolidated)

Dear Mr. Donovan:

Please find attached the Designation of Attorney Presenting Oral Argument, submitted on behalf of Intervenor – Entergy, in the above-referenced matter.

Also enclosed is an additional copy of this letter. Please date stamp this copy to reflect receipt and return it in the enclosed self-addressed, postage pre-paid envelope.

Respectfully submitted,

David Lewis RAL

David R. Lewis
Counsel for Intervenor – Entergy

Enclosures: As stated

cc: service list

Certificate of Service

I certify that on October 30, 2007, copies of the Designation of Attorney Presenting Oral Argument were served by first class mail upon the following persons:

John F. Cordes, Jr., Esq.
Solicitor
Office of General Counsel
U.S. Nuclear Regulatory
Commission
U.S. NRC Mail Stop 0-15D21
Washington, D.C. 20555-0001

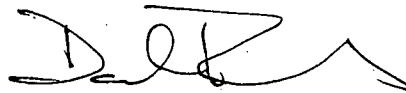
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David R. Lewis
Counsel for Intervenors

**UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT**

Designation of Attorney Presenting Oral Argument

Counsel who intend to present oral argument to the court must complete this form and return it to the clerk's office no later than November 9, 2007.

Counsel presenting oral argument must be admitted to practice before this court and must have entered an appearance in the case. Counsel who have not entered an appearance must file an appearance and a motion for leave pursuant to Loc. R. 12.0(a) with this designation by the due date above.

Appeal No. 07-1482

Date of Argument: Thursday, December 6, 2007

Location: Boston, MA

Case Name: Commonwealth of Massachusetts v. United States; United States
Nuclear Regulatory Commission

Name and appellate designation of the party(ies) you will be arguing on behalf of:

Entergy Nuclear Operations, Inc.; Entergy Nuclear Vermont Yankee LLC;
Entergy Nuclear Generation Company -- Intervenors

Attorney Name: David R. Lewis First Circuit Bar No. 118471

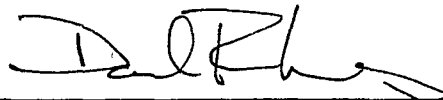
Phone Number: 202-663-8474 Fax Number: 202-663-8007

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Check the box that applies:

☒ I have already filed an appearance in this matter.

☐ I have attached my appearance form and a motion in accordance with Loc. R. 12.0(a).

Signature: 

Date: Oct 29, 2007

PLEASE NOTE: Only arguing counsel will be notified by phone when the opinion is released.