



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 14, 2008

DOCKETED 01/16/08

SERVED 01/16/08

SECRETARY

Docket Nos. 247/286-LR

Sherwood Martinelli
FUSE USA
351 Dyckman Street
Peekskill, NY 10566

Re: Request for Hearing and Petition to Intervene of Friends United for Sustainable Energy (Indian Point Energy Center License Transfer Application)

Dear Mr. Martinelli:

This letter responds to your "Formal Request for Hearing, Formal Petition to Intervene, Formal Request for Extension of Time to File, Formal 2.206 Requests for Action" of November 13, 2007, requesting a hearing on the license transfer application submitted by Entergy Nuclear Operations, Inc. et al. The NRC Staff is currently reviewing the application, but has not yet docketed it. Accordingly, the Commission has not yet issued a *Federal Register* notice of opportunity for hearing which, under 10 C.F.R. § 2.318(a), marks the commencement of a proceeding. Therefore, there is not yet a proceeding in which FUSE can seek to intervene.

Pursuant to my authority under 10 C.F.R. § 2.346(j), I am returning your Request at this time. You may file another request for hearing and petition to intervene once the opportunity for a hearing is published in a *Federal Register* notice.

Sincerely,


Annette L. Vietti-Cook
Secretary of the Commission

Enclosure: As stated

cc. Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
ENTERGY NUCLEAR OPERATIONS, INC.) Docket Nos. 50-247/286-LR
)
)
(Indian Point Nuclear Generating,)
Units 2 and 3))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER RETURNING LICENSE TRANSFER INTERVENTION PETITION OF FUSE (INTERVENTION PETITION ONLY RECEIVED IN E-MAIL FORM - NO COPY IS ENCLOSED WITH LETTER) have been served upon the following persons by electronic mail this date, followed by deposit of paper copies in the U.S. mail, first class, and NRC internal mail.

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Docket Nos. 50-247/286-LR
LETTER RETURNING LICENSE TRANSFER INTERVENTION
PETITION OF FUSE (INTERVENTION PETITION ONLY RECEIVED
IN E-MAIL FORM - NO COPY IS ENCLOSED WITH LETTER)

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[Original signed by Nancy Greathead]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 16th day of January 2008