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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

January 31, 2008 (1:53pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of

ENTERGY NUCLEAR INDIAN POINT 2, LLC,
ENTERGY NUCLEAR INDIAN POINT 3, LLC, and
ENTERGY NUCLEAR OPERATIONS, INC.

Docket Nos.
50-247-LR & 50-286-LR

INDIAN POINT NUCLEAR GENERATING UNITS 2&3

ASLBP No.
07-858-03-LR-BD01

Regarding the Renewal of Facility Operating Licenses
No. DPR-26 and No. DPR-64 for an Additional 2-year Period

**PETITIONER OF WESTCHESTER CITIZEN'S AWARENESS NETWORK
(WestCAN), ROCKLAND COUNTY CONSERVATION ASSOCIATION (RCCA),
PROMOTING PUBLIC HEALTH AND SUSTAINABLE ENERGY (PHASE),
SIERRA CLUB-ATLANTIC CHAPTER and RICHARD BRODSKY MOTION
FOR EXTENSION OF TIME IN WHICH TO FILE A REPLY**

1. Petitioners Westchester Citizen's Awareness Network (WestCAN), Rockland County Conservation Association (RCCA), Promoting Public Health and Sustainable Energy (PHASE), Sierra Club – Atlantic Chapter and Richard Brodsky, (herein referred to as the Petitioners) respectfully request an additional seven (7) days in which to file its Reply to the Answers of the applicant, Entergy, and NRC Staff in the above captioned license renewal proceeding. This request is based on the delay in receiving a complete set of the applicant's Answer to New York's Petition to Intervene. Only on January 28, did counsel Susan Shapiro receive a complete set of the documents comprising the applicant's Answer.

2. On December 10, 2007, the Petitioners filed its Notice of Intention to Participate and Petition to Intervene. This Petition set forth fifty contentions in a three hundred eighty

six page document. It was also accompanied by declarations and numerous exhibits in support of the Petition, these documents were compiled in four volumes.

3. On December 10, 2007, Petitioners served these papers on parties by overnight courier service (Federal Express).

4. By Order dated November 27, 2007, this Board required that all responses to the petitions in this matter be filed on or before January 22, 2008.

5. By Order dated January 2, 2008, this Board required that Replies to those Answers be filed on or before February 8, 2008.

6. According to their Certificates of Service, the applicant and NRC Staff served their Answers to the State's Petition on January 22, 2008. The NRC Staff served all of its papers both electronically and by regular first class mail. Counsel for the Petitioners received the electronic version of the NRC Staff's papers just before midnight on January 22, 2008; and received the paper copies of that submission on Friday, January 25, 2008.

7. The applicant's attorneys served the applicant's Answer upon Petitioners by regular first class mail. It also transmitted a courtesy copy of the applicant's Answer electronically, without any declarations or exhibits, just before midnight on January 22, 2008. Petitioners, however, only received the answer with exhibits of all of the applicant's submission on January 28, 2008 – six days after service. Petitioners have lost about a week's time to prepare a reply and therefore requests this extension.

8. Additionally, counsel for the Petitioners have been unable to access the NRC's ADAMS document management system over this past weekend and specifically on January 26 and 28th, 2008.

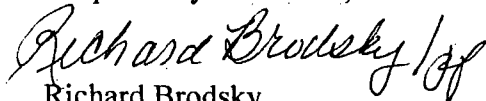
9. Additionally one of our experts witness will be unavailable next week due to ACRS hearings regarding Vermont Yankee Nuclear Power Plant.

10. Petitioners recognize and appreciate that the ASLB and the NRC have been generous in granting extensions in this matter. The State of New York and Riverkeeper have requested extensions based on similar reasons, and have been granted a seven day extensions. Because of the importance of this matter and of Petitioner's need to efficiently coordinate its Reply, the Petitioners respectfully request that the ASLB grant its request for a 7-day extension within which to file its Reply. This would mean that the Petitioner's Reply would be served on or before Friday, February 15, 2008.

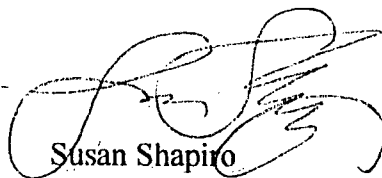
CERTIFICATION

11. The movant, through its undersigned attorneys, certifies pursuant to 10 C.F.R. § 2.323(b) that it has made a sincere effort to contact other parties in the proceeding and to resolve the issues raised on the motion. Specifically, the Petitioner's attorneys contacted attorneys for both the applicant and NRC Staff today to obtain their agreement to this request for a seven-day extension. The attorneys for both of these parties have agreed to a seven-day extension.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that on January 31, 2008, copies of the foregoing Unopposed Motion by Westchester Citizen's Awareness Network (WestCAN), Rockland County Conservation Association (RCCA), Promoting Health and Sustainable Energy (PHASE), Sierra Club-Atlantic Chapter, and Richard Brodsky (herein referred to as the "Petitioners") for Extension of Time in Which to Reply to Oppositions to Petitioners' Hearing Request were served on the following by e-mail and first-class mail:

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