## IN THE UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

) 
)
) Nos. 07-1482 and ) 07-1483 ) (consolidated)
) ) ) ) )

## INTERVENORS' ANSWER SUPPORTING FEDERAL RESPONDENTS' MOTION FOR LEAVE TO FILE A REPLY TO THE COMMONWEALTH'S SUPPLEMENTAL BRIEF

Entergy Nuclear Operations, Inc., Entergy Nuclear Vermont Yankee LLC, and Energy Nuclear Generation Company ("Intervenors") submit this Answer Supporting Federal Respondents' Motion for Leave to File a Reply to the Commonwealth's Supplemental Brief (Feb. 21, 2008). The discussion of the settlement negotiations in the Commonwealth's Supplemental Brief (Pet. Supp. Br. at 12 n.19) is inappropriate, and the Commonwealth's discussion of the NRC

statements in a 2004 rulemaking (Pet. Supp. Br. at 6-7) is taken out of context.

Therefore, the Federal Respondents' Motion and Supplemental Brief are necessary and appropriate.

Respectfully submitted,

David R. Lewis

Pillsbury Winthrop Shaw Pittman LLP

2300 N St., NW

Washington, DC 20037

Telephone: (202) 663-8474

Counsel for Intervenors - Entergy Nuclear Operations, Inc., Entergy Nuclear Vermont Yankee LLC, and Entergy Nuclear

Generation Company

Dated: February 25, 2008

## Certificate of Service

I certify that on February 25, 2008, copies of the foregoing Answer Supporting Federal Respondents' Motion for Leave to File A Reply to The Commonwealth's Supplemental Brief 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
Steven C. Hamrick, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
U.S. NRC Mail Stop 0-15D21
Washington, DC 20555

Lane M. McFadden, Esq.
Appellate Section
Environment and Natural Resources
Division
U.S. Department of Justice
950 Pennsylvania Avenue
Washington, D.C. 20530

Matthew Brock, Esq.
Assistant Attorney General
Office of the Attorney General
Environmental Protection Division
One Ashburton Place
Boston, MA 02108
Diane Curran, Esq.
Harmon, Curran, Spielberg & Eisenberg,
L.L.P.
1726 M Street N.W. Suite 600
Washington, D.C. 20036

Ronald J. Tenpas
Acting Assistant Attorney General
Appellate Section
Environmental and Natural Resources
Division
U.S. Department of Justice
P.O. Box 23795
Washington, DC 20026-3795

David R. Lewis
Counsel for Intervenors