

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

February 7, 2008

BCO-57

No. 07-2271

New Jersey Department of Environmental Protection,  
Petitioner

v.

Nuclear Regulatory Commission;  
Amergen Energy Company, LLC,  
Respondents  
(Agency No. 50-0219-LR)

Present: SMITH, Circuit Judge

- 1) Motion by Nuclear Energy Institute for Leave to Proceed as Amicus Curiae in Support of Respondents.

/s/ Michael C. Williams

Briefing Specialist

(267)299-4940

Response Due: 2/8/08.

**ORDER**

**The foregoing motion is GRANTED.**

By the Court,

/s/ D. Brooks Smith

Circuit Judge

Dated: February 20, 2008

MCW/cc: EBB,JAC,EPK,JFC,CEM,TNR,ELS,BF,MAB