

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED 04/24/08  
SERVED 04/24/08

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Alex S. Karlin, Chairman  
Dr. Richard E. Wardwell  
Dr. William H. Reed

In the Matter of

ENTERGY NUCLEAR VERMONT YANKEE,  
L.L.C.,  
and  
ENTERGY NUCLEAR OPERATIONS, INC.

(Vermont Yankee Nuclear Power Station)

Docket No. 50-271-LR

ASLBP No. 06-849-03-LR

April 24, 2008

ORDER

(Scheduling Prehearing Teleconference for Oral Argument)

This is to notify the New England Coalition (NEC), Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc. (collectively Entergy), the Department of Public Service of the State of Vermont, the Office of the Attorney General for the State of New Hampshire, the NRC Staff, and the Electric Power Research Institute, Inc. (EPRI) that, in accordance with 10 C.F.R. §§ 2.329 and 2.331, the Board will hold a prehearing conference call on May 1, 2008, at 9:00 a.m. EDT for the purpose of hearing oral argument on NEC's Motion to Compel and for Subpoena.<sup>1</sup> NEC, Entergy, and EPRI should be prepared to offer brief opening statements and to answer factual and legal questions on issues raised in their pleadings.<sup>2</sup> This prehearing conference call should last no more than one and one-half hours.

On or before April 29, counsel for each of the parties, the interested state, and EPRI

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<sup>1</sup> [NEC's] Motion to Compel and for Subpoena (Apr. 11, 2008).

<sup>2</sup> On April 21, 2008, EPRI, which is not a party to this proceeding, submitted its opposition to NEC's motion. NEC's motion asks for the issuance of a subpoena to EPRI, which is the owner of the requested information – the CHECWORKS computer code.

should contact Karen S. Valloch at 301-415-7332 to obtain the telephone number and pass code for the conference call. At the same time, all parties and other participating organizations should inform Ms. Valloch of the number of lines they require, and should provide the names of the individuals who will participate so that we can identify them in advance to the court reporter.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>3</sup>

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Alex S. Karlin, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland

April 24, 2008

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<sup>3</sup> Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) licensees Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc.; (2) intervenors Vermont Department of Public Service and NEC of Brattleboro, Vermont; (3) the Staff; (4) the State of New Hampshire; and (5) EPRI.

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ENTERGY NUCLEAR OPERATIONS, INC. ) Docket No. 50-271-LR  
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(Vermont Yankee Nuclear Power Station) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SCHEDULING PREHEARING TELCONFERENCE FOR ORAL ARGUMENT) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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Docket No. 50-271-LR  
LB ORDER (SCHEDULING PREHEARING TELECONFERENCE  
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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 24<sup>th</sup> day of April 2008