



OFFICE OF THE
GENERAL COUNSEL

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

October 15, 2008

Tammy Martinez, Deputy Clerk
U.S. Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, N.Y. 10007

RE: Blumenthal v. U.S. Nuclear Regulatory Commission, No. 08-4833-ag

Dear Ms. Martinez:

Enclosed please find the Acknowledgment Letter from the U.S. Nuclear Regulatory Commission (NRC) for the case referenced above.

Please note that the petition for review in this matter seeks review of an agency order (the NRC's joint denial of rulemakings PRM-51-10 and PRM 51-12) whose review is simultaneously being sought in an action that was filed in this Circuit on August 8, 2008 by the State of New York. That case is docket no. 08-3903-ag. The NRC has already filed a certified index of the record in that proceeding, pursuant to 28 U.S.C. § 2112(a)(1). In addition, on September 30, 2008, the Commonwealth of Massachusetts filed a petition for review of the same NRC order in the First Circuit Court of Appeals. The First Circuit docket number for the latter case is 08-2267. The NRC plans to file a motion in the First Circuit to transfer that case to the Second Circuit pursuant to 28 U.S.C. § 2112(a)(5).

Respectfully submitted,

James E. Adler
Attorney
Office of the General Counsel

Enclosure: As stated.

cc: service list

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2008, copies of the enclosed Acknowledgement Letter were served by mail, postage prepaid, upon the following:

**Matthew Brock, Assistant Attorney General
Environmental Protection Division
Office of the Attorney General
One Ashburton Place
Boston, MA 02108**

**Robert Snook
Assistant Attorney General
Office of the Attorney General
State of Connecticut
55 Elm Street
Hartford, CT 06106**

**John J. Sipos
Assistant Attorney General
Office of the Attorney General
The Capitol
Albany, NY 12224**

**John E. Arbab
Appellate Section
U.S. Department of Justice
Environment and Natural Resources Division
P.O. Box 23795 (L'Enfant Station)
Washington, DC 20026**


James E. Adler

Short Title: Blumenthal v. United States Nuclear Regulatory Com

Agency Number: NRC-2006-0022

Agency: Nuclear Regulatory Commission

ACKNOWLEDGMENT LETTER

Dear Tammy Martinez, Deputy Clerk:

This is to acknowledge receipt of your docketing letter in the above case. I acknowledge that I am the (Lead) attorney of record for:

U.S. NUCLEAR REGULATORY COMMISSION

My NAME, ADDRESS and PHONE NUMBER on your court records is:

Correct

X Incorrect. Please amend your record as follows:

Name: JAMES E. ADLER
Firm: U.S. NUCLEAR REGULATORY COMMISSION
Address: 11555 ROCKVILLE PIKE
ROCKVILLE, MARYLAND 20852
Telephone: (301) 415-1656
FAX: (301) 415-3200
E-Mail: james.adler@nrc.gov

The **CAPTION** as indicated is:

X Correct.

 Incorrect. See attached caption page **WITH CORRECTIONS.**

The **APPELLATE DESIGNATION** (Petitioner or Respondent) assigned to my client is:


X Correct.

Incorrect. My client(s): _____

Should be listed as: _____
 _____ Incorrect. My clients do not wish to participate in this appeal.

I have read the instructions enclosed with the docketing letter.

Sincerely,

Sincerely,

(Signature and Print Name)

JAMES E. ADLER