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USNRC

December 23, 2008 (2:21pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

DIVISION OF SOCIAL JUSTICE
Environmental Protection Bureau

Writer Direct: (212) 416-8459

Office of the Secretary
Attn: Rulemakings and Adjudications Staff
Mail Stop: O-16G4
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

December 23, 2008

Dear Secretary:

On Friday, December 19, 2008, I served a motion for leave and brief *amicus curiae* on parties in the Matter of Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc., Docket No. 50-271-LR, in reliance upon the certificate of service list from the NRC Staff's Petition for Review dated December 9, 2008. I submitted a declaration of service to the Hearing Docket by electronic and hard copy mail.

It subsequently came to my attention that three email addresses were listed incorrectly on Staff's Petition for Review. Yesterday, upon learning of this error, I sent the motion for leave and brief *amicus curiae* to these three recipients at their correct email addresses. A supplemental declaration of service is attached for docketing and has been sent via electronic mail to hearingdocket@nrc.gov as well.

Thank you very much.

Respectfully submitted,

A handwritten signature in black ink that reads "Janice A. Dean".

Janice A. Dean
Assistant Attorney General

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DS-03

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

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In the Matter of

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

Docket No. 50-271-LR

(Vermont Yankee Nuclear Power Station)
-----X

SUPPLEMENTAL DECLARATION OF SERVICE

Pursuant to 28 U.S.C. § 1746, Janice A. Dean hereby declares upon penalty of perjury that:

1. I am over 18 years old and am an employee of the Office of the Attorney General for the State of New York, counsel for the *amicus* State of New York.
2. On December 19, 2008, I forwarded the attached motion for leave and brief *amicus curiae* to the following judges, law clerk, offices, organizations, attorneys, and/or other individuals at the e-mail and street addresses that follow via electronic and regular United States Mail. I also served this Declaration of Service on the Secretary's office via regular United States Mail.

Alex S. Karlin, Chair
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-Mail: ask2@nrc.gov

William H. Reed
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
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Richard E. Wardwell
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Attn: Rulemakings and Adjudications Staff
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Washington, DC 20555-0001
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Washington, DC 20555-0001
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PO Box 98
Edgecomb, ME 04556
E-Mail: shadis@prexar.com

(for intervenor New England Coalition)

3. On Friday, December 19, 2008, it came to my attention that the email I sent to Sarah Hofmann was returned as undeliverable because I had spelled her email address incorrectly. This is because it was typed incorrectly on the NRC Staff's certificate of service of its Petition for Review, which I used as the service list for the motion for leave and brief *amici curiae*.

4. On Friday, December 19, 2008, I forwarded the motion for leave and brief *amici curiae* to Ms. Hofmann at her correct email address, which is Sarah.Hofmann@state.vt.us.

5. On Monday, December 22, 2008, it came to my attention that two other of the above-listed electronic mail addresses were also incorrect. This was again because the email addresses listed on the NRC Staff's certificate of service were incorrect.

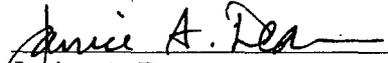
6. On Monday, December 22, 2008, I sent an electronic version of the motion for leave and brief *amici curiae* to the following two recipients, at the below corrected email addresses:

Matias Travieso-Diaz
matias.travieso-diaz@pillsburylaw.com

Office of Commission Appellate Adjudication
OCAAmail@nrc.gov

Executed on:

December 23, 2008
New York, New York


Janice A. Dean
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