



OFFICE OF THE
GENERAL COUNSEL

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

January 7, 2009

Lawrence G. McDade, Chair
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555

Dr. Kaye D. Lathrop
Administrative Judge
Atomic Safety and Licensing Board
190 Cedar Lane E.
Ridgway, CO 81432

Dr. Richard E. Wardwell
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555

In the Matter of
ENTERGY NUCLEAR OPERATIONS, INC.
(Indian Point Nuclear Generating Units 2 and 3)
Docket Nos. 50-247-LR/286-LR

Dear Administrative Judges:

The NRC Staff ("Staff") herein responds to the Atomic Safety and Licensing Board's "Memorandum and Order (Scheduling Prehearing Conference and Ruling on New York State's Motion Requesting Consideration of Additional Matters)" ("Order"), issued on December 18, 2008, in which the Licensing Board directed the parties to identify "any issues they wish to discuss at the prehearing conference." *Id.* at 1.

In response to the Licensing Board's Order, the Staff states that it does not seek to discuss any issues other than the issues which the Licensing Board has identified in its Order, and any additional issues which the Licensing Board may deem to be appropriate based on the issues identified by other parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sherwin E. Turk".

Sherwin E. Turk
Counsel for NRC Staff

cc: Service List