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January 7, 2009

United States Court of Appeals
For the Second Circuit
Ms. Catherine O'Hagan Wolfe, Clerk of Court
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

Re: *Richard L. Brodsky, et al. v. U. S. Nuclear Regulatory Commission;*
Case No. 08-1454-AG

Dear Ms. Wolfe:

Enclosed herewith are the original and four copies of the joinder of the intervenor, Entergy Nuclear Operations, Inc., in federal respondents' opposition to petitioners' motion to proceed on the original record. As required by this Court's Rule 25(a), a copy has been submitted to your office in PDF form by electronic means. Copies have also been served on counsel for all parties.

We thank the Court for its attention to this matter.

Sincerely,

WISE CARTER CHILD & CARAWAY



Michael B. Wallace

MBW/fgr
Enclosures

cc: Hon. Richard L. Brodsky
Robert Rader, Esq.
Ellen J. Durkee, Esq.
Attorney General of the United States
Janice A. Dean, Esq.

**IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

RICHARD L. BRODSKY, et al.,

Petitioners,

v.

U.S. NUCLEAR REGULATORY COMMISSION

and

UNITED STATES OF AMERICA,

Respondents,

and

**ENTERGY NUCLEAR
OPERATIONS, INC.**

Intervenor.

Docket No. 08-1454-ag

**INTERVENOR'S JOINDER IN FEDERAL RESPONDENTS'
OPPOSITION TO PETITIONERS' MOTION TO
PROCEED ON THE ORIGINAL RECORD**

Intervenor, Entergy Nuclear Operations, Inc., hereby joins in the opposition to petitioners' motion to proceed on the original record filed by the federal respondents, U.S. Nuclear Regulatory Commission and United States of America, on January 6, 2009.

This, the 7th day of January, 2009.

Respectfully submitted,

WISE CARTER CHILD & CARAWAY, P.A.

By: *Michael B. Wallace*
MICHAEL B. WALLACE
ATTORNEY FOR ENTERGY NUCLEAR
OPERATIONS, INC.

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CERTIFICATE OF SERVICE

I certify that I have this day mailed by U.S. Mail a true and correct copy of the above and foregoing document to the following:

RICHARD L. BRODSKY, ESQ.
Legislative Office Building - Room 422
Albany, New York 12228
ATTORNEY FOR PETITIONERS

ROBERT RADER, ESQ.
U. S. Nuclear Regulatory Commission
Office of General Counsel
11555 Rockville Pike
MAIL STOP 0-15D21
Rockville, Maryland 20852-2738
ATTORNEY FOR THE U.S.
NUCLEAR REGULATORY COMMISSION

ATTORNEY GENERAL OF THE UNITED STATES
United States Department of Justice
Room B-103
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

THIS the 7th day of January, 2009.



MICHAEL B. WALLACE

ANTI-VIRUS CERTIFICATION FORM

See Second Circuit Interim Local Rule 25(a)6.

CASE NAME: Brodsky v. U.S. Nuclear Regulatory Commission

DOCKET NUMBER: 08-1454-ag

I, (please print your name) Michael B. Wallace, certify that

I have scanned for viruses the PDF version of the attached document that was submitted in this case as

an email attachment to <agencycases@ca2.uscourts.gov>.

<criminalcases@ca2.uscourts.gov>.

<civilcases@ca2.uscourts.gov>.

<newcases@ca2.uscourts.gov>.

<prosecases@ca2.uscourts.gov>.

and that no viruses were detected.

Please print the **name** and the **version** of the anti-virus detector that you used _____

Symantec Anti-Virus 10.1.6.6010

If you know, please print the version of revision and/or the anti-virus signature files _____

(Your Signature)

Michael B. Wallace

Date: 01/07/2009