

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
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.

Docket No. 50-271-LR

ASLBP No. 06-849-03-LR

January 26, 2009

(Vermont Yankee Nuclear Power Station)

ORDER

(Denying NEC Motion for Leave to File Reply)

The motion of the New England Coalition for leave to file a reply¹ is denied because NEC failed to demonstrate compelling circumstances, as required by 10 C.F.R. § 2.323(c).

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²

/RA/

Alex S. Karlin, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 26, 2009

¹ New England Coalition's Motion for Leave to Reply to NRC Staff and Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear (sic) Operations, Inc.'s Answers to New England Coalition's Motion for Reconsideration of the Licensing Board's Partial Initial Decision (Jan. 14, 2009).

² Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc.; (2) the Department of Public Service of the State of Vermont and the New England Coalition of Brattleboro, Vermont; (3) the NRC Staff; and (4) the State of New Hampshire and the Commonwealth of Massachusetts.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (DENYING NEC MOTION FOR LEAVE TO FILE REPLY) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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[Original signed by Nancy Greathead]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 26th day of January 2009