

RAS X-111

**Hearing Docket**

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**From:** David Cory Frankel [davidcoryfrankel@gmail.com]  
**Sent:** Friday, August 29, 2008 4:34 PM  
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**Subject:** Black Hills Sioux Nation Treaty Council

Dear Board, Parties and Counsel,

I am writing because I have just been made aware that there has been some confusion concerning who is representing the Black Hills Sioux Nation Treaty Council, because Elizabeth Lorina was asked at the hearing and was recognized and also Tom Ballanco was asked by the Oglala Delegation of the Black Hills Sioux Nation Treaty Council to represent it in the Renewal proceeding. Mr. Ballanco has informed me that it is likely that the other Delegations of the Black Hills Sioux Nation Treaty Council may also join in the renewal case.

As a result of this confusion, neither Elizabeth nor Tom has prepared a response to the August 22 filing opposing the Black Hills Sioux Nation Treaty Council.

Both Mr. Ballanco and Ms. Lorina are unavailable due to the Labor Day holiday. I understand that one or both of them will file a motion for extension of the August 29 deadline together with appropriate explanations for the late filing and seek a reasonable extension after compliance with Section 2.323 notice to the other parties' counsels.

Since I am not a counsel of record for the Black Hills Sioux Nation Treaty Council, I am not authorized to make any motions. However, I am authorized to put you on notice of this information so that you can expect whatever motion Ms. Lorina and/or Mr. Ballanco will be filing.

Sincerely,

David Frankel  
Counsel for WNRC  
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DOCKETED  
USNRC

August 29, 2008 (4:34pm)

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ADJUDICATIONS STAFF

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16:33:55 -0400

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Date: Fri, 29 Aug 2008 10:33:35 -1000

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Thread-Topic: Black Hills Sioux Nation Treaty Council

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