UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARDS

Before Administrative Judges:

BOARD CAB-01	BOARD CAB-02	BOARD CAB-03
ASLBP No. 09-876-HLW	ASLBP No. 09-877-HLW	ASLBP No. 09-878-HLW
William J. Froehlich, Chairman	Michael M. Gibson, Chairman	Paul S. Ryerson, Chairman
Thomas S. Moore	Lawrence G. McDade	Michael C. Farrar
Richard E. Wardwell	Nicholas G. Trikouros	Mark O. Barnett

In the Matter of U.S. DEPARTMENT OF ENERGY (High Level Waste Repository)	Docket No. 63-001-HLW March 3, 2009

ORDER
(Granting Motion for Extension of Time)

On February 27, 2009, the Timbisha Shoshone Tribe (Tribe) filed an amended motion for an extension of time and arguing that it had established good cause for the late filed motion. The Tribe seeks an extension of time until March 11, 2009 to reply to NRC Staff's answer to intervention petitions and DOE's answer to the Timbisha Shoshone Tribe's petition to intervene.

On March 2, 2009, the U.S. Department of Energy (DOE) filed an answer opposing the Tribe's amended motion. The NRC Staff filed an answer on March 2 stating it does not oppose the Tribe's amended motion requesting an extension of time to file replies until March 11, 2009. On March 3, 2009 the Timbisha Shoshone Yucca Mountain Oversight Program Non-Profit Corporation filed an answer stating it takes no position on the Timbisha Shoshone Tribe's request for an extension of time in which to file its reply.

For good cause shown, the Tribe's amended motion for an extension of time until March 11, 2009 to file its reply is GRANTED. The previously ordered 1:00 p.m. EDT, March 12, 2009 prehearing telephone conference with Construction Authorization Board 01 will take place as scheduled, as will the oral arguments scheduled for March 31, April 1, and April 2, 2009 at the NRC's Las Vegas Hearing Facility.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARDS

/RA/

_____
William J. Froehlich, Chairman CAB-01
ADMINISTRATIVE JUDGE

/RA/ Anthony J. Baratta for

_____
Michael M. Gibson, Chairman CAB-02
ADMINISTRATIVE JUDGE

/RA/

_____
Paul S. Ryerson, Chairman CAB-03
ADMINISTRATIVE JUDGE

Rockville, Maryland
March 3, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
U.S. DEPARTMENT OF ENERGY	)	Docket No. 63-001-HLW
	)	
(High-Level Waste Repository)	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER (Granting Motion for Extension of Time), dated March 3, 2009, have been served upon the following persons by Electronic Information Exchange.

U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board (ASLBP)
Mail Stop T-3F23
Washington, DC 20555-0001

CAB 01
William J. Froehlich, Chair
Administrative Judge
wjf1@nrc.gov

Thomas S. Moore
Administrative Judge
tsm2@nrc.gov

Richard E. Wardwell
Administrative Judge
rew@nrc.gov

CAB 02
Michael M. Gibson, Chair
Administrative Judge
mmg3@nrc.gov

Lawrence G. McDade
Administrative Judge
lgm1@nrc.gov

Nicholas G. Trikouros
Administrative Judge
ngt@nrc.gov

CAB 03
Paul S. Ryerson, Chair
Administrative Judge
psr1@nrc.gov

Michael C. Farrar
Administrative Judge
mcf@nrc.gov

Mark O. Barnett
Administrative Judge
mob1@nrc.gov or mark.barnett@nrc.gov

ASLBP (continued)

Anthony C. Eitreim, Esq., Chief Counsel
ace1@nrc.gov
Daniel J. Graser, LSN Administrator
djg2@nrc.gov
Zachary Kahn, Law Clerk
zxk1@nrc.gov
Erica LaPlante, Law Clerk
eal1@nrc.gov
Matthew Rotman, Law Clerk
matthew.rotman@nrc.gov
Lauren Bregman, Law Clerk
lrb1@nrc.gov
Joseph Deucher
jhd@nrc.gov
Andrew Welkie
axw5@nrc.gov
Jack Whetstine
jgw@nrc.gov
Patricia Harich
patricia.harich@nrc.gov
Sara Culler
sara.culler@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop O-16C1
Washington, DC 20555-0001
Hearing Docket
hearingdocket@nrc.gov

U.S. Department of Energy
Office of General Counsel
1000 Independence Avenue S.W.
Washington, DC 20585
Martha S. Crosland, Esq.
martha.crosland@hq.doe.gov
Nicholas P. DiNunzio, Esq.
nick.dinunzio@rw.doe.gov
James Bennett McRae
ben.mcrae@hq.doe.gov
Mary B. Neumayr, Esq.
mary.neumayr@hq.doe.gov
Christina C. Pak, Esq.
christina.pak@hq.doe.gov

U.S. Nuclear Regulatory Commission
Office of Commission Appellate Adjudication
Mail Stop O-16C1
Washington, DC 20555-0001
OCAA Mail Center
ocaamail@nrc.gov

For the U.S. Department of Energy
Office of Counsel, Naval Sea Systems Command
Nuclear Propulsion Program
1333 Isaac Hull Avenue, SE
Washington Navy Yard, Building 197
Washington, DC 20376
Frank A. Putzu, Esq.
frank.putzu@navy.mil

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-15D21
Washington, DC 20555-0001
Marian L. Zobler, Esq.
mlz@nrc.gov
Mitzi A. Young, Esq.
may@nrc.gov
Nina E. Bafundo, Esq.
neb1@nrc.gov
Margaret J. Bupp, Esq.
mjb5@nrc.gov
Karin Francis, Paralegal
Kfx4@nrc.gov
Joseph S. Gilman, Paralegal
jsg1@nrc.gov
Daniel W. Lenehan, Esq.
dwl2@nrc.gov
Kevin Roach, Esq.
kevin.roach@nrc.gov
Andrea L. Silvia, Esq.
alc1@nrc.gov
OGC Mail Center
OGCMailCenter@nrc.gov

U.S. Department of Energy
Office of General Counsel
1551 Hillshire Drive
Las Vegas, NV 89134-6321
George W. Hellstrom, Esq.
george.hellstrom@ymp.gov
Jocelyn M. Gutierrez, Esq.
jocelyn.gutierrez@ymp.gov
Josephine L. Sommer, Paralegal
josephine.sommer@ymp.gov

For the U.S. Department of Energy
Bechtel-SAIC
Yucca Mountain Project Licensing Group
1251 Center Crossing Road, M/S 423
Las Vegas, NV 89144
Jeffrey Kriner, Regulatory Programs
jeffrey_kriner@ymp.gov
Stephen J. Cereghino, Licensing/Nucl Safety
stephen_cereghino@ymp.gov

For the U.S. Department of Energy
Bechtel-SAIC
Yucca Mountain Project Licensing Group
6000 Executive Boulevard, Suite 608
North Bethesda, MD 20852
Edward Borella, Sr Staff, Licensing/Nuclear Safety
edward_borella@ymp.gov
Danny R. Howard, Sr. Licensing Engineer
danny_howard@ymp.gov

For the U.S. Department of Energy
Talisman International, LLC
1000 Potomac St., NW, Suite 300
Washington, DC 20007
Patricia Larimore, Senior Paralegal
plarimore@talisman-intl.com

Counsel for the U.S. Department of Energy
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave., NW
Washington, DC 20004
Clifford W. Cooper, Paralegal
ccooper@morganlewis.com
Lewis M. Csedrik, Associate
lcsedrik@morganlewis.com
Jay M. Gutierrez, Esq.
jgutierrez@morganlewis.com
Charles B. Moldenhauer, Associate
cmoldenhauer@morganlewis.com
Brian P. Oldham, Associate
boldham@morganlewis.com
Thomas D. Poindexter, Esq.
tpoindexter@morganlewis.com
Alex S. Polonsky, Esq.
apolonsky@morganlewis.com
Thomas A. Schmutz, Esq.
tschmutz@morganlewis.com
Donald J. Silverman, Esq.
dsilverman@morganlewis.com
Shannon Staton, Legal Secretary
sstaton@morganlewis.com
Annette M. White, Associate
Annette.white@morganlewis.com
Paul J. Zaffuts, Esq.
pzaffuts@morganlewis.com

Counsel for the U.S. Department of Energy
Hunton & Williams LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219
Kelly L. Faglioni, Esq.
kfaglioni@hunton.com
Donald P. Irwin, Esq.
dirwin@hunton.com
Michael R. Shebelskie, Esq.
mshebelskie@hunton.com
Patricia Slayton, Senior Paralegal
pslayton@hunton.com

Counsel for the State of Nevada
Egan, Fitzpatrick & Malsch, PLLC
2001 K Street, NW, Suite 400
Washington, DC 20006
Martin G. Malsch, Esq.
mmalsch@nuclearlawyer.com
Susan Montesi:
smontesi@nuclearlawyer.com

Counsel for the State of Nevada
Egan, Fitzpatrick & Malsch, PLLC
12500 San Pedro Avenue, Suite 555
San Antonio, TX 78216
Charles J. Fitzpatrick, Esq.
cfitzpatrick@nuclearlawyer.com
John W. Lawrence, Esq.
jlawrence@nuclearlawyer.com
Laurie Borski, Paralegal
lborski@nuclearlawyer.com

Nevada Agency for Nuclear Projects
Nuclear Waste Project Office
1761 East College Parkway, Suite 118
Carson City, NV 89706
Steve Frishman, Tech. Policy Coordinator
steve.frishman@gmail.com
Susan Lynch, Administrator of Technical Prgms
szeee@nuc.state.nv.us

Bureau of Government Affairs
Nevada Attorney General
100 N. Carson Street
Carson City, NV 89701
Marta Adams, Chief Deputy Attorney General
madams@ag.nv.gov

Counsel for Lincoln County, Nevada
Carter Ledyard & Milburn, LLP
1401 Eye Street, N.W., Suite 300
Washington, DC 20005
Barry S. Neuman, Esq.
neuman@clm.com

Counsel for Lincoln County, Nevada
Carter Ledyard & Milburn, LLP
2 Wall Street
New York, NY 10005
Ethan I. Strell, Esq.
strell@clm.com

Counsel for Lincoln County, Nevada
1100 S. Tenth Street
Las Vegas, NV 89017
Bret Whipple, Esq.
baileys@lcturbonet.com

Lincoln County Nuclear Oversight Program
P.O. Box 1068
Caliente, NV 89008
Connie Simkins, Coordinator
jcciac@co.lincoln.nv.us

For Lincoln County, Nevada
Intertech Services Corporation
PO Box 2008
Carson City, NV 89702
Mike Baughman, Consultant
BIGBOFF@aol.com

Counsel for Nye County, Nevada
Ackerman Senterfitt
801 Pennsylvania Avenue, NW, #600
Washington, DC 20004
Robert Andersen, Esq.
robert.andersen@akerman.com

Counsel for Nye County, Nevada
530 Farrington Court
Las Vegas, NV 89123
Jeffrey VanNiel, Esq.
nbrjdvn@gmail.com

Nye County Regulatory/Licensing Advisor
18160 Cottonwood Rd. #265
Sunriver, OR 97707
Malachy Murphy, Esq.
mrmurphy@chamberscable.com

Nye County Nuclear Waste Repository Project Office (NWRPO)
1210 E. Basin Road, #6
Pahrump, NV 89060
Sherry Dudley, Admin. Technical Coordinator
sdudley@co.nye.nv.us
Zoie Choate, Secretary
zchoate@co.nye.nv.us

Clark County, Nevada
500 S. Grand Central Parkway
Las Vegas, NV 98155
Elizabeth A. Vibert, Deputy District Attorney
Elizabeth.Vibert@ccdanv.com
Phil Klevorick, Sr. Mgmt Analyst
klevorick@co.clark.nv.us

Counsel for Clark County, Nevada
Jennings, Strouss & Salmon
8330 W. Sahara Avenue, #290
Las Vegas, NV 89117
Bryce Loveland, Esq.
bloveland@jsslaw.com

Counsel for Clark County, Nevada
Jennings, Strouss & Salmon
1700 Pennsylvania Avenue, NW, Suite 500
Washington, DC 20006-4725
Elene Belte, Legal Secretary
ebelete@jsslaw.com
Alan I. Robbins, Esq.
arobbins@jsslaw.com
Debra D. Roby, Esq.
droby@jsslaw.com

Eureka County, Nevada
Office of the District Attorney
701 S. Main Street, Box 190
Eureka, NV 89316-0190
Theodore Beutel, District Attorney
tbeutel.ecda@eurekanv.org

Counsel for Eureka County, Nevada
Harmon, Curran, Speilberg & Eisenberg, LLP
1726 M. Street N.W., Suite 600
Washington, DC 20036
Diane Curran, Esq.
dcurran@harmoncurran.com
Matthew Fraser, Law Clerk
mfraser@harmoncurran.com

Eureka County Public Works
PO Box 714
Eureka, NV 89316
Ronald Damele, Director
rdamele@eurekanv.org

Nuclear Waste Advisory for Eureka County, Nevada
1983 Maison Way
Carson City, NV 89703
Abigail Johnson, Consultant
eurekanrc@gmail.com

For Eureka County, Nevada
NWOP Consulting, Inc.
1705 Wildcat Lane
Ogden, UT 84403
Loreen Pitchford, Consultant
lpitchford@comcast.net

Counsel for Churchill, Esmeralda, Lander,
and Mineral Counties, Nevada
Armstrong Teasdale, LLP
1975 Village Center Circle, Suite 140
Las Vegas, NV 89134-6237
Robert F. List, Esq.
rlist@armstrongteasdale.com
Jennifer A. Gores, Esq.
jgores@armstrongteasdale.com

Esmeralda County Repository Oversight Program-
Yucca Mountain Project
PO Box 490
Goldfield, NV 89013
Edwin Mueller, Director
muellered@msn.com

White Pine County, Nevada
Office of the District Attorney
801 Clark Street, #3
Ely, NV 89301
Richard Sears, District Attorney
rwsears@wpcde.org

White Pine County Nuclear Waste Project Office
959 Campton Street
Ely, NV 89301
Mike Simon, Director
wpnucwst1@mwpower.net

For White Pine County, Nevada
Intertech Services Corporation
PO Box 2008
Carson City, NV 89702
Mike Baughman, Consultant
BIGBOFF@aol.com

Counsel for Inyo County, California
Greg James, Attorney at Law
710 Autumn Leaves Circle
Bishop, CA 93514
Greg James, Esq.
E-Mail: gljames@earthlink.net

Counsel for Caliente Hot Springs Resort LLC
John H. Huston, Attorney at Law
6772 Running Colors Avenue
Las Vegas, NV 89131
John H. Huston, Esq.
johnhhuston@gmail.com

California Department of Justice
Office of the Attorney General
1300 I Street
P.O. Box 944255
Sacramento, CA 94244-2550
Susan Durbin, Deputy Attorney General
susan.durbin@doj.ca.gov
Michele Mercado, Analyst
michele.Mercado@doj.ca.gov

California Department of Justice
Office of the Attorney General
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612-0550
Timothy E. Sullivan, Deputy Attorney General
timothy.Sullivan@doj.ca.gov

California Department of Justice
300 S. Spring Street, Suite 1702
Los Angeles, CA 90013
Brian Hembacher, Deputy Attorney General
brian.hembacher@doj.ca.gov

California Energy Commission
1516 Ninth Street
Sacramento, CA 95814
Kevin, W. Bell, Senior Staff Counsel
kwbell@energy.state.ca.us

Nuclear Energy Institute
Office of the General Counsel
1776 I Street, NW Suite 400
Washington, DC 20006-3708
Ellen C. Ginsberg, General Counsel
ecg@nei.org
Michael A. Bauser, Deputy General Counsel
mab@nei.org
Anne W. Cottingham, Esq.
awc@nei.org

Counsel for the Nuclear Energy Institute
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, N.W.
Washington, DC 20037-1122
Jay E. Silberg, Esq.
jay.silberg@pillsburylaw.com
Timothy J.V. Walsh, Esq.
timothy.walsh@pillsburylaw.com
Maria D. Webb, Senior Energy Legal Analyst
maria.webb@pillsburylaw.com

Counsel for the Nuclear Energy Institute
Winston & Strawn LLP
1700 K Street, N.W.
Washington, DC 20006-3817
David A. Repka, Esq.
drepka@winston.com
William A. Horin, Esq.
whorin@winston.com
Rachel Miras-Wilson
rwilson@winston.com
Carlos L. Sisco, Senior Paralegal
csisco@winston.com

Counsel for Timbisha Shoshone Tribe
Fredericks, Peebles, & Morgan LLP
1001 Second St.
Sacramento, CA 95814
Darcie L. Houck, Esq.
dhouch@ndlaw.com
John M. Peebles, Esq.
jpeebles@ndlaw.com

Native Community Action Council
P.O. Box 140
Baker, NV 89311
Ian Zabarte, Member of Board of Directors
mrizabarte@gmail.com

Counsel for the Native Community Action Council
Alexander, Berkey, Williams & Weathers LLP
2030 Addison Street, Suite 410
Berkeley, CA 94704
Curtis G. Berkey, Esq.
cberkey@abwwlaw.com

Timbisha Shoshone Yucca Mountain Oversight
Program Non-Profit Corporation
3560 Savoy Boulevard
Pahrump, NV 89601
Joe Kennedy, Executive Director
joekennedy08@live.com
Tameka Vazquez, Bookkeeper
purpose_driven12@yahoo.com

Counsel for Timbisha Shoshone Yucca Mountain
Oversight Program Non-Profit Corporation
Godfrey & Kahn, S.C.
One East Main Street, Suite 500
P. O. Box 2719
Madison, WI 53701-2719
Steven A. Heinzen, Esq.
sheinzen@gklaw.com
Douglas M. Poland, Esq.
dpoland@gklaw.com
Jacqueline Schwartz, Paralegal
jschwartz@gklaw.com
Julie Dobie, Legal Secretary
jdobie@gklaw.com

Counsel for Timbisha Shoshone Yucca Mountain
Oversight Program Non-Profit Corporation
Godfrey & Kahn, S.C.
780 N. Water Street
Milwaukee, WI 53202
Arthur J. Harrington, Esq.
aharrington@gklaw.com

Beyond Nuclear
6930 Carroll Avenue, Suite 400
Takoma Park, MD 20912
Kevin Kamps
kevin@beyondnuclear.org

[Original Signed by Linda D. Lewis]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 3rd day of March 2009