

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD**

Before Administrative Judges:

**Thomas S. Moore, Chairman
Paul S. Ryerson
Richard E. Wardwell**

In the Matter of:

U.S. DEPARTMENT OF ENERGY

(License Application for Geologic Repository
at Yucca Mountain)

Docket No. 63-001-HLW

ASLBP No. 09-892-HLW-CAB04

September 9, 2009

**JTS DESIGNATION OF PRIMARY REPRESENTATIVE
FOR SEPTEMBER 14, 2009 PRE-HEARING CONFERENCE**

On September 1, 2009, Construction Authorization Board 04 (Board) issued a Memorandum and Order setting forth the logistics for the September 14 and 15, 2009 prehearing conference. In that Memorandum and Order, the Board directed each of the parties to file, on or before September 9, 2009, a notice informing the Board of the name of the individual who will be its primary representative before the Board. As the CABs are aware, JTS is a party to this proceeding that was formed from two separate parties, TIM and TOP, each of which had its own lead counsel. At the CABs' request, TIM and TOP entered into a formal agreement for the purpose of participating as a single entity, JTS, in this proceeding. That agreement requires both Douglas M. Poland and Darcie L. Houck to participate as co-lead counsel. JTS therefore respectfully requests that the CABs permit both Mr. Poland and Ms. Houck, both of whom have appearances on file, to serve as primary representatives of JTS for the purposes of the September 14th hearing. Only one of them will address the CABs on any single issue, and both

Mr. Poland and Ms. Houck will confer with one another before stating any position of JTS at the hearing.

Respectfully submitted,

s/ Douglas M. Poland

Arthur J. Harrington
Douglas M. Poland
Steven A. Heinzen

GODFREY & KAHN, S.C.
One East Main Street, Suite 500
P.O. Box 2719
Madison, Wisconsin 53701-2719
Telephone: 608.257.3911
Fax: 608.257.0609
E-Mail: sheinzen@gklaw.com

Darcie L. Houck
FREDERICKS, PEEBLES & MORGAN, LLP
1001 Second Street
Sacramento, CA 95814
E-mail: dhouck@ndnlaw.com

COUNSEL FOR JOINT TIMBISHA SHOSHONE
TRIBAL GROUP

**UNITED STATES OF AMERICA
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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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CERTIFICATE OF SERVICE

I hereby certify that copies of the *JTS Designation of Primary Representative for September 14, 2009 Pre-Hearing Conference* in the above-captioned proceeding have been served on the following persons this 9th day of September 2009, by Electronic Information Exchange.

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

CAB 01

William J. Froehlich, Chair
Administrative Judge
E-mail: wjfl@nrc.gov

Thomas S. Moore
Administrative Judge
E-mail: tsm2@nrc.gov

Richard E. Wardwell
Administrative Judge
E-mail: rew@nrc.gov

CAB 02

Michael M. Gibson, Chair
Administrative Judge
E-mail: mmg3@nrc.gov

CAB 02 (continued)

Alan S. Rosenthal
Administrative Judge
E-mail: axr@nrc.gov; rsnthl@verizon.net

Nicholas G. Trikouros
Administrative Judge
E-mail: ngt@nrc.gov

CAB 03

Paul S. Ryerson, Chair
Administrative Judge
E-mail: psr1@nrc.gov

Michael C. Farrar
Administrative Judge
E-mail: mcf@nrc.gov

Mark O. Barnett
Administrative Judge
E-mail: mobl@nrc.gov; mark.barnett@nrc.gov

CAB 04

Thomas S. Moore, Chair

Administrative Judge

E-mail: tsm2@nrc.gov

Paul S. Ryerson

Administrative Judge

E-mail: psr1@nrc.gov

Richard E. Wardwell

Administrative Judge

E-mail: rew@nrc.gov

E. Roy Hawkens, Chief Admin. Judge

E-mail: erh@nrc.gov

Anthony C. Eitrem, Chief Counsel

E-mail: anthony.eitrem@nrc.gov

Daniel J. Graser, LSN Administrator

E-mail: djg2@nrc.gov

Anthony Baratta

E-mail: ajb5@nrc.gov

Andrew L. Bates

E-mail: alb@nrc.gov

G. Paul Bollwek, III

E-mail: gp@nrc.gov

Lauren Bregman

E-mail: lrb1@nrc.gov

Sara Culler

E-mail: sara.culler@nrc.gov

Deborah Davidson

E-mail: deborah.davidson@nrc.gov

Joseph Deucher

E-mail: jhd@nrc.gov

Don Frye

E-mail: dxfs@nrc.gov

Rebecca Giitter

E-mail: rll@nrc.gov

Nancy Greathead

E-mail: nancy.greathead@nrc.gov

Pat Hall

E-mail: pth@nrc.gov

Patricia Harich

E-mail: patricia.harich@nrc.gov

Emile Julian

E-mail: elj@nrc.gov; emile.julian@nrc.gov

Zachary Kahn

E-mail: zxk1@nrc.gov

Erica LaPlante

E-mail: eal1@nrc.gov

Linda Lewis

E-mail: linda.lewis@nrc.gov

David McIntyre

E-mail: david.mcintyre@nrc.gov

Evangeline S. Ngbea

E-mail: esn@nrc.gov

Christine Pierpoint

E-mail: cmp@nrc.gov

Matthew Rotman

E-mail: matthew.rotman@nrc.gov

Tom Ryan

E-mail: tom.ryan@nrc.gov

Ivan Valenzuela

E-mail: ivan.valenzuela@nrc.gov

Andrew Welkie

E-mail: axw5@nrc.gov

Jack Whetstone

E-mail: jgw@nrc.gov

U.S. Nuclear Regulatory Commission

Office of the Secretary of the Commission

Mail Stop O-16 C1

Washington, D.C. 20555-0001

Hearing Docket

E-mail: hearingdocket@nrc.gov

U.S. Nuclear Regulatory Commission

Office of Comm. Appellate Adjudication

Mail Stop O-16 C1

Washington, DC 20555-0001

OCAA Mail Center

E-mail: ocaamail@nrc.gov

U.S. Nuclear Regulatory Commission

Office of the General Counsel

Mail Stop O-15 D21

Washington, DC 20555-0001

OGC Mail Center

E-mail: ogcmailcenter@nrc.gov

Marian L. Zabler, Esq.

E-mail: mlz@nrc.gov

Mitzi A. Young, Esq.

E-mail: may@nrc.gov

Margaret J. Bupp, Esq.

E-mail: mjb5@nrc.gov

Daniel W. Lenehan, Esq.

E-mail: dwl2@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the General Counsel (continued)

Andrea L. Silvia, Esq.

E-mail: alc1@nrc.gov

Adam S. Gendelman, Esq.

E-mail: adam.gendelman@nrc.gov

Christopher C. Chandler, Esq.

E-mail: christopher.chandler@nrc.gov

Karin Francis, Paralegal

E-mail: kxf4@nrc.gov

Joseph S. Gilman, Paralegal

E-mail: jsg1@nrc.gov

U.S. Department of Energy
Office of General Counsel

1551 Hillshire Drive

Las Vegas, NV 89134-6321

George W. Hellstrom, Esq.

E-mail: george.hellstrom@ymp.gov

Jocelyn M. Gutierrez, Esq.

E-mail: jocelyn.gutierrez@ymp.gov

Josephine L. Sommer, Paralegal

E-mail: josephine.sommer@ymp.gov

U.S. Department of Energy
Office of General Counsel

1000 Independence Avenue, S.W.

Washington, DC 20585

Martha S. Crosland, Esq.

E-mail: martha.crosland@hq.doe.gov

Nicholas DiNunzio, Esq.

E-mail: nicholas.dinunzio@hq.doe.gov

Angela Kordyak, Esq.

E-mail: angela.kordyak@hq.doe.gov

James Bennett McRae

E-mail: ben.mcrae@hq.doe.gov

Christina Pak, Esq.

E-mail: christina.pak@hq.doe.gov

For the U.S. Department of Energy
Office of Counsel

Naval Sea Systems Command

Nuclear Propulsion Program

1333 Isaac Hull Avenue S.E.

Washington Navy Yard, Building 197

Washington, DC 20376

Frank A. Putzu, Esq.

E-mail: frank.putzu@navy.mil

Nevada Attorney General
Bureau of Government Affairs

100 North Carson Street

Carson City, NV 89710

Marta Adams, Chief Deputy AG

E-mail: madams@ag.nv.gov

Egan, Fitzpatrick, Malsch & Lawrence, PLLC

12500 San Pedro Avenue, Suite 555

San Antonio, TX 78216

Charles J. Fitzpatrick, Esq.

E-mail: cfitzpatrick@nuclearlawyer.com

John W. Lawrence

E-mail: jlawrence@nuclearlawyer.com

Laurie Borski, Paralegal

E-mail: lborski@nuclearlawyer.com

Egan, Fitzpatrick, Malsch & Lawrence, PLLC

1750 K Street N.W., Suite 350

Washington, DC 20006

Martin G. Malsch, Esq.

E-mail: mmalsch@nuclearlawyer.com

Susan Montesi

E-mail: smontesi@nuclearlawyer.com

Hunton & Williams LLP

Riverfront Plaza, East Tower

951 East Byrd Street

Richmond, VA 23219-4074

Donald P. Irwin

E-mail: dirwin@hunton.com

Michael R. Shebelskie

E-mail: mshebelskie@hunton.com

Kelly L. Faglioni

E-mail: kfaglioni@hunton.com

Pat Slayton

E-mail: pslayton@hunton.com

Yucca Mountain Project Licensing Group
Bechtel-SAIC
1251 Center Crossing Road, M/S 423
Las Vegas, NV 89144
Jeffrey Kriner, Regulatory Programs
E-mail: jeffrey_kriner@ymp.gov
Stephen Cereghino, Licensing/Nucl Safety
E-mail: stephen_cereghino@ymp.gov

Yucca Mountain Project Licensing Group
Bechtel-SAIC
6000 Executive Blvd., Suite 608
North Bethesda, MD 20852
Danny R. Howard, Sr. Licensing Engineer
E-mail: danny_howard@ymp.gov
Edward Borella
Sr. Staff, Licensing/Nuclear Safety
E-mail: edward_borella@ymp.gov

Talisman International, LLC
1000 Potomac St., NW
Suite 200 Washington, DC 20007
Patricia Larimore, Senior Paralegal
E-mail: plarimore@talisman-intl.com

Morgan, Lewis, Bockius LLP
1111 Pennsylvania Ave. N.W.
Washington, DC 20004
Lewis Csedrik, Esq.
E-mail: lcshedrik@morganlewis.com
Jay Gutierrez, Esq.
E-mail: jgutierrez@morganlewis.com
Charles B. Moldenhauer
E-mail: cmoldenhauer@morganlewis.com
Brian P. Oldham, Esq.
E-mail: boldham@morganlewis.com
Thomas Poindexter, Esq.
E-mail: tpoindexter@morganlewis.com
Alex S. Polonsky, Esq.
E-mail: apolonsky@morganlewis.com
Thomas A. Schmutz, Esq.
E-mail: tschmutz@morganlewis.com
Donald Silverman, Esq.
E-mail: dsilverman@morganlewis.com
Annette M. White
E-mail: annette.white@morganlewis.com
Paul J. Zaffuts, Esq.
E-mail: pzaffuts@morganlewis.com
Clifford W. Cooper, Paralegal
E-mail: ccooper@morganlewis.com
Shannon Staton, Legal Secretary
E-mail: sstaton@morganlewis.com

Counsel for Lincoln County, Nevada

1100 S. Tenth Street
Las Vegas, NV 89104

Bret O. Whipple, Esq.

E-mail: bretwhipple@nomademail.com

Eric Hinckley, Law Clerk

E-mail: erichinckley@yahoo.com

Counsel for Lincoln County, Nevada

P.O. Box 60
Pioche, NV 89043

Gregory Barlow, Esq.

Lincoln County District Attorney

E-mail: lcta@lcturbonet.com

**For Lincoln County and White Pine County,
Nevada**

P.O. Box 2008
Carson City, NV 89702

Dr. Mike Baughman

Intertech Services Corporation

E-mail: bigboff@aol.com

Lincoln County Nuclear Oversight Program

P.O. Box 1068
Caliente, NV 89008

Connie Simkins, Coordinator

E-mail: jcciac@co.lincoln.nv.us

CACI International

Daniel Maerten

E-mail: dmaerten@caci.com

White Pine County, Nevada

Office of the District Attorney
801 Clark Street, Suite 3
Ely, NV 89301

Richard Sears, District Attorney

E-mail: rwsears@wpcda.org

California Energy Commission

1516 9th Street
Sacramento, CA 95814

Kevin W. Bell, Senior Staff Counsel

E-mail: kwbell@energy.state.ca.us

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

E-mail: susan.durbin@doj.ca.gov

Michele Mercado, Analyst

E-Mail: 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

E-mail: timothy.sullivan@doj.ca.gov

California Department of Justice

300 S. Spring Street, Suite 1702

Los Angeles, CA 90013

Brian Hembacher

Deputy Attorney General

E-mail: brian.hembacher@doj.ca.gov

Nevada Agency for Nuclear Projects

Nuclear Waste Project Office

1761 East College Parkway, Suite 118

Carson City, NV 89706

Steve Frishman, Tech. Policy Coordinator

E-mail: steve.frishman@gmail.com

Susan Lynch

E-mail: slynch1761@gmail.com

Counsel for Inyo County, California

Greg James, Attorney at Law
710 Autumn Leaves Circle
Bishop, CA 93514

Gregory L. James, Esq.

E-mail: gljames@earthlink.net

Michael C. Berger

Robert S. Hanna

233 East Carrillo Street, Suite B
Santa Barbara, CA 93101

Michael C. Berger, Esq.

E-mail: mberger@bsglaw.net

Robert S. Hanna, Esq.

E-mail: rsanna@bsglaw.net

**Nye County Nuclear Waste Repository
Project Office (NWRPO)**

1210 E. Basin Road #6
Pahrump, NV 89060

Sherry Dudley, Admin. Technical Coordinator

E-mail: sdudley@co.nye.nv.us

Zoie Choate, Secretary

E-mail: zchoate@co.nye.nv.us

Nye County Regulatory/Licensing Advisor

18160 Cottonwood Road. #265
Sunriver, OR 97707

Malachy Murphy, Esq.

E-mail: mrmurphy@chamberscable.com

Counsel for Nye County, Nevada

Jeffrey D. VanNiel

530 Farrington Court
Las Vegas, NV 89133

E-mail: nbrjdv@gmail.com

Ackerman Senterfitt

801 Pennsylvania Avenue N.W. #600
Washington, D.C. 20004

Robert M. Andersen

E-mail: robert.andersen@akerman.com

Native Community Action Council

P.O. Box 140
Baker, NV 89311

Ian Zabarte

E-mail: mrizabarte@gmail.com

**Alexander, Berkey, Williams & Weathers
LLP**

**Counsel for Native Community Action
Council**

2030 Addison Street, Suite 410
Berkeley, CA 94704

Curtis G. Berkey

E-mail: cberkey@abwwlaw.com

Scott W. Williams

E-mail: swilliams@abwwlaw.com

Rovianne A. Leigh

E-mail: rleigh@abwwlaw.com

**White Pine County Nuclear Waste Project
Office**

959 Campton Street
Ely, NV 89301

Mike Simon, Director

E-mail: wpnucwstl@mwpower.net

Armstrong Teasdale, LLP

**Counsel for Churchill, Lander, Mineral, and
Esmeralda Counties, Nevada**

1975 Village Center Circle, Suite 140
Las Vegas, NV 89134-6237

Robert F. List, Esq.

E-mail: rlist@armstrongteasdale.com

Jennifer A. Gores, Esq.

E-mail: jgores@armstrongteasdale.com

Nuclear Energy Institute

Office of the General Counsel
1776 Eye Street, NW, Suite 400
Washington, DC 20006-3708

Ellen C. Ginsberg, General Counsel

E-mail: ecg@nei.org

Michael A. Bauser, Deputy General Counsel

E-mail: mab@nei.org

Anne W. Cottingham, Esq.

E-mail: awc@nei.org

Pillsbury Winthrop Shaw Pittman, LLP
Counsel for Nuclear Energy Institute, Inc.
2300 N Street, N.W.

Washington, D.C. 20037-1122

Jay E. Silberg Esq.

E-mail: jay.silberg@pillsburylaw.com

Timothy J. V. Walsh, Esq.

E-mail: timothy.walsh@pillsburylaw.com

Maria D. Webb, Senior Energy Legal Analyst

E-mail: maria.webb@pillsburylaw.com

**Esmeralda County Repository Oversight
Program, Yucca Mountain Project**

P.O. Box 490

Goldfield, NV 89013

Edwin Mueller, Director

E-mail: muellered@msn.com

Winston & Strawn LLP

Counsel for the Nuclear Energy Institute

1700 K Street, N.W.

Washington, DC 20006-3817

David A. Repka, Esq.

E-mail: drepka@winston.com

William A. Horin, Esq.

E-mail: whorin@winston.com

Rachel Miras-Wilson

E-mail: rwilson@winston.com

Carlos L. Sisco, Senior Paralegal

E-mail: csisco@winston.com

Fredericks, Peebles & Morgan, LLP

1001 Second Street

Sacramento, CA 95814

Darcie L. Houck, Esq.

E-mail: dhouck@ndnlaw.com

John M. Peebles

E-mail: jpeebles@ndnlaw.com

**Timbisha Shoshone Yucca Mountain
Oversight Program Non-Profit Corporation**

3560 Savoy Boulevard

Pahrump, NV 89061

Tameka Vazquez

E-mail: purpose_driven12@yahoo.com

Counsel for Caliente Hot Springs Resort LLC

6772 Running Colors Avenue

Las Vegas, NV 89131

John H. Huston, Esq.

E-mail: johnhhuston@gmail.com

Beyond Nuclear

6930 Carroll Avenue, Suite 400

Takoma Park, MD 20912

Kevin Kamps

E-mail: kevin@beyondnuclear.org

Harmon, Curran, Speilberg & Eisenberg, LLP

1726 M Street N.W., Suite 600

Washington, D.C. 20036

Diane Curran, Esq.

E-mail: dcurran@harmoncurran.com

Matthew Fraser, Law Clerk

E-mail: mfraser@harmoncurran.com

Eureka County, Nevada

Office of the District Attorney

701 S. Main Street, Box 190

Eureka, NV 89316-0190

Theodore Beutel, District Attorney

E-mail: tbeutel.ecda@eurekanv.org

Eureka County Public Works

P.O. Box 714

Eureka, NV 89316

Ronald Damele, Director

E-mail: rdamele@eurekanv.org

Nuclear Waste Advisory for Eureka Co.

1983 Maison Way

Carson City, NV 89703

Abigail Johnson, Consultant

E-mail: eurekanrc@gmail.com

NWOP Consulting, Inc.

1705 Wildcat Lane

Ogden, UT 84403

Loreen Pitchford, LSN Coordinator

E-mail: lpitchford@comcast.net

Clark County (NV) Nuclear Waste Division

500 S. Grand Central Parkway

Las Vegas, NV 89155

Elizabeth A. Vibert, Deputy District Attorney

E-mail: elizabeth.vibert@ccdanv.com

Phil Klevorick, Sr. Mgmt. Analyst

E-mail: klevorick@co.clark.nv.us

Jennings Strouss & Salmon, PLC

1700 Pennsylvania Ave N.W., Suite 500

Washington, D.C., 20006-4725

Alan I. Robbins, Esq.

E-mail: arobbins@jsslaw.com

Debra D. Roby, Esq.

E-mail: droby@jsslaw.com

Elene Belete, Legal Secretary

E-mail: ebelete@jsslaw.com

Jennings Strouss & Salmon

8330 W. Sahara Avenue #290

Las Vegas, NV 89117

Bryce Loveland, Esq.

E-mail: bloveland@jsslaw.com

Dated this 9th day of September 2009.

/signed (electronically) by/

Julie A. Dobie