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November 4, 2009

Ms. Annette Vietti-Cook
Secretary
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

ATTENTION: Rulemaking and Adjudications Staff

Re: Requests for Extension of Time in PSEG Nuclear LLC (Hope Creek Generating Station, Unit 1, License Renewal, Docket No. 50-354-LR; Salem Nuclear Generating Station, Units 1 and 2, License Renewal, Docket Nos. 50-272-LR and 50-311-LR)

Dear Ms. Vietti-Cook:

On November 2, 2009, Delaware Riverkeeper and the New Jersey Environmental Federation (the "movants") sent two separate, but substantially identical, letters to Chairman Jaczko requesting 60-day extensions of time in which to file requests for hearing and petitions for leave to intervene in the above-referenced proceedings (the "Extension Requests"). This letter provides the views of the applicant, PSEG Nuclear LLC ("PSEG") in response to the Extension Requests. For the reasons set forth below, PSEG would not oppose the Secretary's issuance of an order granting a fourteen-day extension of time.

The Extension Requests are subject to denial because movants did not consult with PSEG prior to filing their Extension Requests, and did not even provide a copy of their Requests to PSEG. Specifically, neither Request certifies that its authors made a sincere effort to contact the other parties and resolve the issues raised in the Extension Requests, as required by 10 C.F.R. § 2.323(b).[1] Also, neither Request was transmitted via the NRC's Electronic Information

[1] *Cf. Tennessee Valley Authority* (Watts Bar Nuclear Plant, Unit 2), Unpublished Order (June 24, 2009) (granting an unopposed motion for a fourteen day extension for an initial request for hearing).

Exchange in accordance with the NRC's E-Filing rules or the Notices of Hearing,[2] or in any other way provided to PSEG. Instead, the NRC forwarded copies of the letters to counsel for PSEG via e-mail on November 3, 2009. The Extension Requests are therefore subject to rejection in their entirety.[3]

In addition, the duration of the extensions sought is inordinately lengthy. PSEG submitted the above-referenced Applications on August 18, 2009, and the NRC provided public notice that both of the applications were available for inspection on September 8, 2009.[4] The movants, therefore, would have nearly four months to prepare their Request for Hearing before the existing December 22 deadline. This is sufficient time to review a license renewal application, even if it is for more than one unit. Granting the requested extension in full would provide the movants with nearly six months to review the Applications and prepare any Requests for Hearing.

Nevertheless, PSEG would not oppose the Secretary's issuance of an order granting, under 10 C.F.R. § 2.346(b), a fourteen-day extension of time for the submission of requests for hearing and petitions to intervene, until Tuesday, January 5, 2010.

Finally, both Extension Requests refer to the "UNPLUG Salem Campaign," as a "network of organizations" that intends to request a hearing. To the extent that the Extension Requests seek to extend the deadline for other, unidentified organizations, PSEG cannot agree to any such relief, nor should the Commission. Accordingly, PSEG respectfully requests that any order granting an extension of time be limited to the movants.

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[2] *See* Nuclear Regulatory Commission, Notice of Acceptance for Docketing of the Application and Notice of Opportunity for Hearing Regarding Renewal of Facility Operating License Nos. DPR-70 and DPR-75 for an Additional 20-Year Period; PSEG Nuclear LLC, Salem Nuclear Generating Station, Units 1 and 2, 74 Fed. Reg. 54,854, 54855-56 (Oct. 23, 2009); Nuclear Regulatory Commission, Notice of Acceptance for Docketing of the Application and Notice of Opportunity for Hearing Regarding Renewal of Facility Operating License No. NPF-57 for an Additional 20-Year Period; PSEG Nuclear LLC, Hope Creek Generating Station, Unit 1, 74 Fed. Reg. 54,856, 54,858 (Oct. 23, 2009) (the "Notices of Hearing").

[3] *Cf. Entergy Nuclear Operations, Inc.* (Indian Point Nuclear Generating Units 2 and 3), CLI-08-29, 68 NRC __ (slip op. at 4 n.12) (Dec. 9, 2008) (rejecting a motion for failure to comply with the certification requirements of 10 C.F.R. § 2.323(b)).

[4] Nuclear Regulatory Commission, PSEG Nuclear LLC; Notice of Receipt and Availability of Application for Renewal of Hope Creek Generating Station for an Additional 20-Year Period, 74 Fed. Reg. 46,238 (Sept. 8, 2009); Nuclear Regulatory Commission, PSEG Nuclear LLC; Notice of Receipt and Availability of Application for Renewal of Salem Nuclear Generating Station, Units 1 and 2 Facility Operating Licenses Nos. DPR-70 and DPR-75 for an Additional 20-Year Period, 74 Fed. Reg. 46,238 (Sept. 8, 2009).

Thank you for your attention to this matter.

Sincerely,

Signed (electronically) by Alex S. Polonsky
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE SECRETARY

In the Matter of	)	
	)	Docket No. 50-354-LR
PSEG NUCLEAR LLC	)	
(Hope Creek Generating Station, Unit 1)	)	November 4, 2009

CERTIFICATE OF SERVICE

I hereby certify that, on this date, copies of the foregoing letter from Counsel for PSEG Nuclear LLC to the Secretary were filed with the Electronic Information Exchange in the above-captioned proceeding on the following recipients. The same letter was also served via e-mail on those persons listed below with an asterisk, because they have not yet registered with the EIE for this docket.

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Counsel for PSEG

Dated in Washington, D.C.
this 4th day of November 2009