



May 6, 2010

Lawrence G. McDade, Chair
Dr. Paul B. Abramson
Dr. Gary S. Arnold
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

SUBJECT: *Watts Bar Unit 2 Operating License Proceeding*

Dear Licensing Board Judges:

The purpose of this letter is to let you know that Southern Alliance for Clean Energy does not intend to oppose the Tennessee Valley Authority's ("TVA's") Motion to Dismiss Contention 1 as moot. In Table G-5 of the attachment to TVA's motion, TVA appears to have provided the information sought by Contention 1 regarding the status of TVA's compliance with state and federal permits required for the construction or operation of the Watts Bar nuclear power plant, Unit 2. Therefore SACE considers Contention 1 to be resolved.

Sincerely,

(Electronically signed by)
Diane Curran

Cc: Service list

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

In the Matter of)	
)	
)	
Tennessee Valley Authority)	Docket No. 50-391
)	
(Watts Bar Unit 2))	
)	

CERTIFICATE OF SERVICE

I certify that on May 6, 2010, I posted on the NRC's Electronic Information Exchange System copies of the foregoing Letter from Diane Curran to ASLB re Watts Bar Unit 2 Licensing Proceeding. It is my understanding that as a result, the following parties were served:

Lawrence G. McDade, Chair Paul B. Abramson Gary S. Arnold Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Mail Stop T-3F23 Lgm1@nrc.gov , pba@nrc.gov , wxb3@nrc.gov	Kathryn M. Sutton, Esq. Paul M. Bessette, Esq. Morgan, Lewis & Bockius, L.L.P. 1111 Pennsylvania Avenue N.W. Washington, D.C. 20004 ksutton@morganlewis.com pbessette@morganlewis.com
NRC Office of the Secretary Rulemakings and Adjudications Staff U.S. Nuclear Regulatory Commission Washington, D.C. 20555 Hearing.docket@nrc.gov	NRC Office of Appellate Commission Adjudication U.S. Nuclear Regulatory Commission Washington, D.C. 20555 ocaamail@nrc.gov
David E. Roth, Esq. Edward Williamson, Esq. Andrea Jones, Esq. Jeremy M. Suttenger, Esq. Office of General Counsel U.S. Nuclear Regulatory Commission Washington, D.C. 20555 David.roth@nrc.gov , andrea.jones@nrc.gov , Jeremy.suttenger@nrc.gov , elw2@nrc.gov	Edward J. Vigluicci, Esq. Christopher C. Chandler, Esq. Office of the General Counsel Tennessee Valley Authority 400 West Summit Hill Drive, WT 6A-K Knoxville, TN 37902 ejvigluicci@tva.gov , ccchandler0@tva.gov

(signed electronically by)
Diane Curran