

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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In the Matter of )

U.S. DEPARTMENT OF ENERGY )

(High-Level Waste Repository) )

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) Docket No. 63-001-HLW  
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**ORDER**

On June 30, 2010, the participants in this proceeding were invited to file briefs with the Commission. Initial briefs were due July 9, 2010, and fourteen pleadings were timely filed on July 8 and 9. However, on those dates, NRC's Electronic Information Exchange (EIE) system did not send timely service notifications to participants on the service list. This occurred due to an internal firewall configuration setting that blocked e-mails from being sent. This issue was corrected on July 12, and EIE is now operating normally. Given that the participants received delayed service notifications, the time to file responsive briefs is hereby extended to Monday, July 19, 2010.<sup>1</sup>

For the participants' convenience, appended to this order is a list of all filings served in this proceeding on July 8 and 9, 2010. This order is issued pursuant to my authority under 10 C.F.R. § 2.346(a).

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<sup>1</sup> Also filed on July 9 was the *State of Washington, State of South Carolina, Aiken County, South Carolina, and White Pine County, Nevada's Motion for Recusal/Disqualification*. The timing of answers to that motion is governed by 10 C.F.R. § 2.323(c). See 10 C.F.R. § 2.1000.

IT IS SO ORDERED.

For the Commission

**[NRC SEAL]**

***/RA/***

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Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland,  
This 14th day of July, 2010.

**U.S. Department of Energy (High-Level Waste Repository), Docket No. 63-001-HLW**  
**Filings Submitted via EIE on July 8 and 9, 2010**

<b>FILED</b>	<b>PARTICIPANT</b>	<b>DOCUMENT TITLE</b>	<b>ADAMS Accession Number</b>
7/8/10	Aiken County, SC	Aiken County Response In Opposition to Commission Review of Atomic Safety and Licensing Board Order	ML101890080
7/8/10	White Pine County, NV	White Pine County Joinder With Aiken County	ML101890949
7/9/10	Nye County, NV	Nye County Brief Supporting CAB04 Decision Denying Department of Energy's Motion to Withdraw With Prejudice Its License Application for Yucca Mountain Repository and Granting Intervention to State of Washington, State of South Carolina, Aiken County, South Carolina, and PIIC	ML101900466
7/9/10	Nuclear Energy Institute	Initial Brief of Nuclear Energy Institute in Opposition to Review of Atomic Safety and Licensing Board Order (LBP-10-11) Denying Motion to Withdraw	ML101900497
7/9/10	State of California	State of California's Response to the Nuclear Energy Commission's Order re: the Atomic Safety and Licensing Board's Denial of the Department of Energy's Motion to Withdraw the License Application	ML101900508
7/9/10	State of South Carolina	Brief of the State of South Carolina Pursuant to Commission Order Dated June 30, 2010	ML101900553
7/9/10	State of Nevada	Brief of the State of Nevada in Support of Review and Reversal of the Licensing Board's Decision Denying the Department of Energy's Motion to Withdraw its License Application with Prejudice	ML101900567
7/9/10	Prairie Island Indian Community	Brief of Prairie Island Indian Community for Affirmance of Atomic Safety and Licensing Board Memorandum and Order Denying Department of Energy's Motion to Withdraw Construction Authorization Application	ML101900590

7/9/10	U.S. Department of Energy	U.S. Department of Energy's Brief in Support of Review and Reversal of the Board's Ruling on the Motion to Withdraw	ML101900620
7/9/10	State of Washington, State of South Carolina, Aiken County, South Carolina, and White Pine County, Nevada	State of Washington, State of South Carolina, Aiken County, South Carolina, and White Pine County, Nevada's Motion for Recusal/Disqualification	ML101900622
7/9/10	State of Washington	Initial Brief of the State of Washington Pursuant to June 30, 2010 Commission Order	ML101950189
7/9/10	NRC Staff	NRC Staff Brief in Response to the Secretary of the Commission's June 30, 2010 Order	ML101910138
7/9/10	National Association of Regulatory Utility Commissioners	National Association of Regulatory Utility Commissioners Brief Supporting the June 29, 2010 Decision of the Atomic Safety and Licensing Board and Respectfully Suggesting Additional Review is Both Unnecessary and a Waste of Commission Resources	ML101910139
7/9/10	Nevada Counties of Churchill, Esmeralda, Lander and Mineral	Four Nevada Counties of Churchill, Esmeralda, Lander and Mineral Response to the Commission's June 30, 2010 Order	ML101910140
7/9/10	Inyo County, CA	The County of Inyo's Response to Nuclear Energy Commission's Order re: the Atomic Safety and Licensing Board's Denial of the Department of Energy's Motion to Withdraw its License Application	ML101910141

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Docket No. 63-001-HLW  
ASLBP No. 09-892-HLW-CAB04

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER OF THE SECRETARY**, dated July 14, 2010, 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

**Construction Authorization Board (CAB) 04**

Thomas S. Moore, Chair  
Administrative Judge  
[tsm2@nrc.gov](mailto:tsm2@nrc.gov)

Paul S. Ryerson  
Administrative Judge  
[psr1@nrc.gov](mailto:psr1@nrc.gov)

Richard E. Wardwell  
Administrative Judge  
[rew@nrc.gov](mailto:rew@nrc.gov)

Anthony C. Eitrem, Esq., Chief Counsel  
[ace1@nrc.gov](mailto:ace1@nrc.gov)  
Daniel J. Graser, LSN Administrator  
[djg2@nrc.gov](mailto:djg2@nrc.gov)  
Matthew Rotman, Law Clerk  
[matthew.rotman@nrc.gov](mailto:matthew.rotman@nrc.gov)  
Katherine Tucker, Law Clerk  
[katie.tucker@nrc.gov](mailto:katie.tucker@nrc.gov)  
Joseph Deucher  
[jhd@nrc.gov](mailto:jhd@nrc.gov)  
Andrew Welkie  
[axw5@nrc.gov](mailto:axw5@nrc.gov)  
Jack Whetstine  
[jgw@nrc.gov](mailto:jgw@nrc.gov)  
Patricia Harich  
[patricia.harich@nrc.gov](mailto:patricia.harich@nrc.gov)  
Sara Culler  
[sara.culler@nrc.gov](mailto:sara.culler@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15D21  
Washington, DC 20555-0001  
Jessica Bielecki, Esq.  
[jessica.bielecki@nrc.gov](mailto:jessica.bielecki@nrc.gov)  
Elva Bowden Berry, Esq.  
[elva.bowdenberry@nrc.gov](mailto:elva.bowdenberry@nrc.gov)  
Karin Francis, Paralegal  
[kxf4@nrc.gov](mailto:kxf4@nrc.gov)  
Joseph S. Gilman, Paralegal  
[jsg1@nrc.gov](mailto:jsg1@nrc.gov)  
Daniel W. Lenehan, Esq.  
[daniel.lenehan@nrc.gov](mailto:daniel.lenehan@nrc.gov)  
Andrea L. Silvia, Esq.  
[alc1@nrc.gov](mailto:alc1@nrc.gov)  
Mitzi A. Young, Esq.  
[may@nrc.gov](mailto:may@nrc.gov)  
OGC Mail Center  
[OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of Commission Appellate Adjudication  
Mail Stop O-16C1  
Washington, DC 20555-0001  
OCAAMail Center  
[ocaamail@nrc.gov](mailto:ocaamail@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](mailto:hearingdocket@nrc.gov)

U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW  
**ORDER OF THE SECRETARY**

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](mailto:martha.crosland@hq.doe.gov)  
Nicholas P. DiNunzio, Esq.  
[nick.dinunzio@rw.doe.gov](mailto:nick.dinunzio@rw.doe.gov)  
Scott Blake Harris, Esq.  
[scott.harris@hq.doe.gov](mailto:scott.harris@hq.doe.gov)  
Sean A. Lev, Esq.  
[sean.lev@hq.doe.gov](mailto:sean.lev@hq.doe.gov)  
James Bennett McRae  
[ben.mcrae@hq.doe.gov](mailto:ben.mcrae@hq.doe.gov)  
Cyrus Nezhad, Esq.  
[cyrus.nezhad@hq.doe.gov](mailto:cyrus.nezhad@hq.doe.gov)  
Christina C. Pak, Esq.  
[christina.pak@hq.doe.gov](mailto:christina.pak@hq.doe.gov)  
Josephine L. Sommer, Paralegal  
[josephine.sommer@hq.doe.gov](mailto:josephine.sommer@hq.doe.gov)

Office of General Counsel  
1551 Hillshire Drive  
Las Vegas, NV 89134-6321  
Jocelyn M. Gutierrez, Esq.  
[jocelyn.gutierrez@ymp.gov](mailto:jocelyn.gutierrez@ymp.gov)

Office of Counsel, Naval Sea Systems Command  
Nuclear Propulsion Program  
1333 Isaac Hull Avenue, SE, Building 197  
Washington, DC 20376  
Frank A. Putzu, Esq.  
[frank.putzu@navy.mil](mailto:frank.putzu@navy.mil)

For U.S. Department of Energy  
USA-Repository Services LLC  
Yucca Mountain Project Licensing Group  
1160 N. Town Center Drive, Suite 240  
Las Vegas, NV 89144  
Stephen J. Cereghino, Licensing/Nucl Safety  
[stephen\\_cereghino@ymp.gov](mailto:stephen_cereghino@ymp.gov)

For 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](mailto:plarimore@talisman-intl.com)

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

Counsel for 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](mailto:kfaglioni@hunton.com)  
Donald P. Irwin, Esq.  
[dirwin@hunton.com](mailto:dirwin@hunton.com)  
Stephanie Meharg, Paralegal  
[smeharg@hunton.com](mailto:smeharg@hunton.com)  
Michael R. Shebelskie, Esq.  
[mshebelskie@hunton.com](mailto:mshebelskie@hunton.com)  
Jason Wool, Esq.  
[jwool@hunton.com](mailto:jwool@hunton.com)  
Belinda A. Wright, Sr. Professional Assistant  
[bwright@hunton.com](mailto:bwright@hunton.com)

U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW  
**ORDER OF THE SECRETARY**

Counsel for State of Nevada  
Egan, Fitzpatrick, Malsch & Lawrence, PLLC  
1750 K Street, NW, Suite 350  
Washington, DC 20006  
Martin G. Malsch, Esq.  
[mmalsch@nuclearlawyer.com](mailto:mmalsch@nuclearlawyer.com)  
Susan Montesi:  
[smontesi@nuclearlawyer.com](mailto:smontesi@nuclearlawyer.com)

Egan, Fitzpatrick, Malsch & Lawrence, PLLC  
12500 San Pedro Avenue, Suite 555  
San Antonio, TX 78216  
Laurie Borski, Paralegal  
[lborski@nuclearlawyer.com](mailto:lborski@nuclearlawyer.com)  
Charles J. Fitzpatrick, Esq.  
[cfitzpatrick@nuclearlawyer.com](mailto:cfitzpatrick@nuclearlawyer.com)  
John W. Lawrence, Esq.  
[jlawrence@nuclearlawyer.com](mailto:jlawrence@nuclearlawyer.com)

Counsel for Lincoln County, Nevada  
Whipple Law Firm  
1100 S. Tenth Street  
Las Vegas, NV 89017  
Annie Bailey, Legal Assistant  
[baileys@lcturbonet.com](mailto:baileys@lcturbonet.com)  
Adam L. Gill, Esq.  
[adam.whipplelaw@yahoo.com](mailto:adam.whipplelaw@yahoo.com)  
Eric Hinckley, Law Clerk  
[erichinckley@yahoo.com](mailto:erichinckley@yahoo.com)  
Bret Whipple, Esq.  
[bretwhipple@nomademail.com](mailto:bretwhipple@nomademail.com)

Lincoln County Nuclear Oversight Program  
P.O. Box 1068  
Caliente, NV 89008  
Connie Simkins, Coordinator  
[jcciac@co.lincoln.nv.us](mailto:jcciac@co.lincoln.nv.us)

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

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](mailto:madams@ag.nv.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  
[steve.frishman@gmail.com](mailto:steve.frishman@gmail.com)  
Susan Lynch, Administrator of Technical Prgms  
[szeee@nuc.state.nv.us](mailto:szeee@nuc.state.nv.us)

Lincoln County District Attorney  
P. O. Box 60  
Pioche, NV 89403  
Gregory Barlow, Esq.  
[lcd@lcturbonet.com](mailto:lcd@lcturbonet.com)

For Lincoln County, Nevada  
Intertech Services Corporation  
PO Box 2008  
Carson City, NV 89702  
Mike Baughman, Consultant  
[mikebaughman@charter.net](mailto:mikebaughman@charter.net)

Counsel for Nye County, Nevada  
Jeffrey VanNiel, Esq.  
530 Farrington Court  
Las Vegas, NV 89123  
[nbrjdv@gmail.com](mailto:nbrjdv@gmail.com)

U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW  
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Nye County Regulatory/Licensing Advisor  
18160 Cottonwood Rd. #265  
Sunriver, OR 97707  
Malachy Murphy, Esq.  
[mrmurphy@chamberscable.com](mailto:mrmurphy@chamberscable.com)

Nye Co. Nuclear Waste Repository Project Office  
2101 E. Calvada Boulevard, Suite 100  
Pahrump, NV 89048  
Zoie Choate, Secretary  
[zchoate@co.nye.nv.us](mailto:zchoate@co.nye.nv.us)  
Sherry Dudley, Admin. Technical Coordinator  
[sdudley@co.nye.nv.us](mailto:sdudley@co.nye.nv.us)

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

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

Counsel for Clark County, Nevada  
Jennings, Strouss & Salmon  
1350 I Street, N.W., Suite 810  
Washington, DC 20005-3305  
Alan I. Robbins, Esq.  
[arobbins@jsslaw.com](mailto:arobbins@jsslaw.com)  
Debra D. Roby, Esq.  
[droby@jsslaw.com](mailto: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](mailto: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](mailto:dcurran@harmoncurran.com)  
Matthew Fraser, Law Clerk  
[mfraser@harmoncurran.com](mailto:mfraser@harmoncurran.com)

Eureka County Public Works  
PO Box 714  
Eureka, NV 89316  
Ronald Damele, Director  
[rdamele@eurekanv.org](mailto:rdamele@eurekanv.org)

Nuclear Waste Advisory for Eureka  
County, Nevada  
1983 Maison Way  
Carson City, NV 89703  
Abigail Johnson, Consultant  
[eurekanrc@gmail.com](mailto:eurekanrc@gmail.com)

For Eureka County, Nevada  
NWOP Consulting, Inc.  
1705 Wildcat Lane  
Ogden, UT 84403  
Loreen Pitchford, Consultant  
[lpitchford@comcast.net](mailto:lpitchford@comcast.net)



U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW  
**ORDER OF THE SECRETARY**

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

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

Mineral County Nuclear Projects Office  
P.O. Box 1600  
Hawthorne, NV 89415  
Linda Mathias, Director  
[yuccainfo@mineralcountynv.org](mailto:yuccainfo@mineralcountynv.org)

For City of Caliente, Lincoln County, and  
White Pine County, Nevada  
P.O. Box 126  
Caliente, NV 89008  
Jason Pitts, LSN Administrator  
[jayson@idtservices.com](mailto:jayson@idtservices.com)

White Pine County, Nevada  
Office of the District Attorney  
801 Clark Street, #3  
Ely, NV 89301  
Richard Sears, District Attorney  
[rwsears@wpcda.org](mailto:rwsears@wpcda.org)

White Pine County Nuclear Waste Project Office  
959 Campton Street  
Ely, NV 89301  
Mike Simon, Director  
[wpnucwst1@mwpower.net](mailto:wpnucwst1@mwpower.net)  
Melanie Martinez, Sr. Management Assistant  
[wpnucwst2@mwpower.net](mailto:wpnucwst2@mwpower.net)

For White Pine County, Nevada  
Intertech Services Corporation  
PO Box 2008  
Carson City, NV 89702  
Mike Baughman, Consultant  
[mikebaughman@charter.net](mailto:mikebaughman@charter.net)

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

Inyo County Yucca Mountain Repository  
Assessment Office  
P. O. Box 367  
Independence, CA 93526-0367  
Alisa M. Lembke, Project Analyst  
[alembke@inyocounty.us](mailto:alembke@inyocounty.us)

Counsel for Inyo County, California  
Law Office of Michael Berger  
479 El Sueno Road  
Santa Barbara, CA 93110  
Michael Berger, Esq.  
[michael@lawofficeofmichaelberger.com](mailto:michael@lawofficeofmichaelberger.com)  
Robert Hanna, Esq.  
[robert@lawofficeofmichaelberger.com](mailto:robert@lawofficeofmichaelberger.com)

U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW  
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California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814  
Kevin, W. Bell, Senior Staff Counsel  
[kwbell@energy.state.ca.us](mailto: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  
[susan.durbin@doj.ca.gov](mailto:susan.durbin@doj.ca.gov)  
Michele Mercado, Analyst  
[michele.Mercado@doj.ca.gov](mailto:michele.Mercado@doj.ca.gov)

California Department of Justice  
Office of the Attorney General  
1515 Clay Street, 20<sup>th</sup> Floor, P.O. Box 70550  
Oakland, CA 94612-0550  
Timothy E. Sullivan, Deputy Attorney General  
[timothy.Sullivan@doj.ca.gov](mailto:timothy.Sullivan@doj.ca.gov)

California Department of Justice  
Office of the Attorney General  
300 S. Spring Street, Suite 1702  
Los Angeles, CA 90013  
Brian Hembacher, Deputy Attorney General  
[brian.hembacher@doj.ca.gov](mailto:brian.hembacher@doj.ca.gov)

Native Community Action Council  
P.O. Box 140  
Baker, NV 89311  
Ian Zabarte, Member of Board of Directors  
[mrizabarte@gmail.com](mailto:mrizabarte@gmail.com)

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

Counsel for 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](mailto:jay.silberg@pillsburylaw.com)  
Timothy J.V. Walsh, Esq.  
[timothy.walsh@pillsburylaw.com](mailto:timothy.walsh@pillsburylaw.com)  
Maria D. Webb, Senior Energy Legal Analyst  
[maria.webb@pillsburylaw.com](mailto:maria.webb@pillsburylaw.com)

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

Counsel for Native Community Action Council  
Alexander, Berkey, Williams & Weathers LLP  
2030 Addison Street, Suite 410  
Berkeley, CA 94704  
Curtis G. Berkey, Esq.  
[cberkey@abwwlaw.com](mailto:cberkey@abwwlaw.com)  
Rovianne A. Leigh, Esq.  
[rleigh@abwwlaw.com](mailto:rleigh@abwwlaw.com)  
Scott W. Williams, Esq.  
[swilliams@abwwlaw.com](mailto:swilliams@abwwlaw.com)

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**ORDER OF THE SECRETARY**

Counsel for Joint Timbisha Shoshone Tribal Group  
Fredericks, Peebles, & Morgan LLP  
1001 Second St.  
Sacramento, CA 95814  
Felicia M. Brooks, Data Administrator  
[fbrooks@ndnlaw.com](mailto:fbrooks@ndnlaw.com)  
Ross D. Colburn, Law Clerk  
[rcolburn@ndnlaw.com](mailto:rcolburn@ndnlaw.com)  
Sally Eredia, Legal Secretary  
[seredia@ndnlaw.com](mailto:seredia@ndnlaw.com)  
Darcie L. Houck, Esq.  
[dhouck@ndnlaw.com](mailto:dhouck@ndnlaw.com)  
Brian Niegemann, Office Manager  
[bniegemann@ndnlaw.com](mailto:bniegemann@ndnlaw.com)  
John M. Peebles, Esq.  
[jpeebles@ndnlaw.com](mailto:jpeebles@ndnlaw.com)  
Robert Rhoan, Esq.  
[rrhoan@ndnlaw.com](mailto:rrhoan@ndnlaw.com)

Fredericks, Peebles, & Morgan LLP  
3610 North 163<sup>rd</sup> Plaza  
Omaha, NE 68116  
Shane Thin Elk, Esq.  
[sthinelk@ndnlaw.com](mailto:sthinelk@ndnlaw.com)

Counsel for Joint Timbisha Shoshone Tribal Group  
Godfrey & Kahn, S.C.  
One East Main Street, Suite 500  
P. O. Box 2719  
Madison, WI 53701-2719  
Julie Dobie, Legal Secretary  
[jdobie@gklaw.com](mailto:jdobie@gklaw.com)  
Steven A. Heinzen, Esq.  
[sheinzen@gklaw.com](mailto:sheinzen@gklaw.com)  
Douglas M. Poland, Esq.  
[dpoland@gklaw.com](mailto:dpoland@gklaw.com)  
Hannah L. Renfro, Esq.  
[hrenfro@gklaw.com](mailto:hrenfro@gklaw.com)  
Jacqueline Schwartz, Paralegal  
[jschwartz@gklaw.com](mailto:jschwartz@gklaw.com)

Godfrey & Kahn, S.C.  
780 N. Water Street  
Milwaukee, WI 53202  
Arthur J. Harrington, Esq.  
[aharrington@gklaw.com](mailto:aharrington@gklaw.com)

For Joint Timbisha Shoshone Tribal Group  
3560 Savoy Boulevard  
Pahrump, NV 89601  
Joe Kennedy, Executive Director  
[joekennedy08@live.com](mailto:joekennedy08@live.com)  
Tameka Vazquez, Bookkeeper  
[purpose\\_driven12@yahoo.com](mailto:purpose_driven12@yahoo.com)

U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW  
**ORDER OF THE SECRETARY**

Counsel for State of South Carolina  
Davidson & Lindemann, P.A.  
1611 Devonshire Drive  
P.O. Box 8568  
Columbia, SC 29202  
Kenneth P. Woodington, Esq.  
[kwoodington@dml-law.com](mailto:kwoodington@dml-law.com)

Counsel for Aiken County, South Carolina  
Haynsworth Sinkler Boyd, PA  
1201 Main Street, Suite 2200  
P. O. Box 11889  
Columbia, SC 29211-1889  
Thomas R. Gottshall, Esq.  
[tgottshall@hsblawfirm.com](mailto:tgottshall@hsblawfirm.com)  
Ross Shealy, Esq.  
[rshealy@hsblawfirm.com](mailto:rshealy@hsblawfirm.com)

Counsel for Prairie Island Indian Community  
Public Law Resource Center PLLC  
505 N. Capitol Avenue  
Lansing, MI 48933  
Don L. Keskey, Esq.  
[donkeskey@publiclawresourcecenter.com](mailto:donkeskey@publiclawresourcecenter.com)

Prairie Island Indian Community Legal Department  
5636 Sturgeon Lake Road  
Welch, MN 55089  
Philip R. Mahowald, Esq.  
[pmahowald@piic.org](mailto:pmahowald@piic.org)

Counsel for State of Washington  
Office of the Attorney General  
P. O. Box 40117  
Olympia, WA 98504-0117  
Todd R. Bowers, Esq.  
[toddb@atg.wa.gov](mailto:toddb@atg.wa.gov)  
Andrew A. Fitz, Esq.  
[andyf@atg.wa.gov](mailto:andyf@atg.wa.gov)  
Michael L. Dunning, Esq.  
[michaeld@atg.wa.gov](mailto:michaeld@atg.wa.gov)  
H. Lee Overton, Esq.  
[leo1@atg.wa.gov](mailto:leo1@atg.wa.gov)  
Diana MacDonald  
[dianam@atg.wa.gov](mailto:dianam@atg.wa.gov)  
Sharon Nelson  
[sharonn@atg.wa.gov](mailto:sharonn@atg.wa.gov)

Florida Public Service Commission  
Office of the General Counsel  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32303  
Cynthia Miller, Esq.  
[cmiller@psc.state.fl.us](mailto:cmiller@psc.state.fl.us)

Counsel for National Association of Regulatory  
Utility Commissioners (NARUC)  
1101 Vermont Avenue, Suite 200  
Washington, DC 20005  
James Ramsay, Esq.  
[jramsay@naruc.org](mailto:jramsay@naruc.org)  
Robin Lunt, Esq.  
[rlunt@naruc.org](mailto:rlunt@naruc.org)

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

Dated at Rockville, Maryland  
this 14<sup>th</sup> day of July 2010