

December 30, 2010 (12:14 p.m.)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

December 30, 2010

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
Entergy Nuclear Generation Company and)	Docket No. 50-293-LR
Entergy Nuclear Operations, Inc.)	ASLBP No. 06-848-02-LR
)	
(Pilgrim Nuclear Power Station))	

ENERGY REQUEST FOR CHANGE IN HEARING DATE

Entergy Nuclear Generation Company and Entergy Nuclear Operations, Inc. (collectively "Entergy") respectfully request a change in the schedule for the hearing and potential oral argument on new pending contentions from March 2 and 3, 2011 to March 9 and 10, 2011. The Atomic Safety and Licensing Board's ("Board") in its December 22, 2010 Order (Providing Dates for Hearing and Oral Argument) set the hearing in this matter for March 2, 2011 and potential argument on new pending contentions for March 3, 2011. The Board provided, however, that if any party has a significant or serious problem with these dates that it would consider rescheduling them to March 8-9 or March 9-10, provided that such a request "indicates the precise reason for the change and that all other parties are available on the alternate dates, and does this no later than January 5, 2011."

Entergy does have a significant and serious problem in meeting the March 2 and 3 dates set by the Board. One of Entergy's two expert witnesses, Dr. Steven Hanna, is an adjunct associate professor at the Harvard School of Public Health in the Department of Exposure, Epidemiology and Risk. Dr. Hanna teaches two classes for the Harvard School of Public Health in conjunction with other professors; one class is at Harvard and a second class is overseas in

Cyprus. Both classes are taught by a team of five or six professors which requires the close coordination of their schedules as well as the technical content of their lectures. The schedules were finalized by the Head of the Department in mid-December, and Dr. Hanna is now scheduled to teach his lectures in Cyprus the week of February 28 - March 4.

As required by the Board's December 22, 2010 Order, counsel for Entergy has checked with the NRC Staff and Pilgrim Watch on their availability for March 9 and March 10. Counsel for the Staff has advised Entergy counsel that the Staff and its witnesses are available for those dates and that the Staff has no objection to rescheduling the hearing and potential oral argument to March 9 and March 10. Additionally, Mary Lampert of Pilgrim Watch has advised counsel for Entergy that Pilgrim Watch is also available on both March 9 and March 10.¹

Accordingly, Entergy respectfully requests that the hearing be rescheduled to March 9, 2011 and that any potential argument on new pending contentions be rescheduled to March 10, 2011.



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Dated: December 30, 2010

¹ Ms. Lampert did advise counsel for Entergy that she is scheduled to be in Cuba March 12 to March 20 and that she would therefore request that the time from March 11 to March 20 be considered dead time and not be accounted for in the time allowed to file any pleadings that are due subsequent to the hearing and potential oral argument. Entergy believes that Ms. Lampert would likely have the same time conflict regardless of whether the hearing and potential argument is March 2-3 or March 9-10. In any event, the schedule for the filing of pleadings following the hearing and potential oral argument is premature and would be determined at that time.

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Entergy Request for Change in Hearing Date" were served on the persons listed below by deposit in the U.S. Mail, first class, postage prepaid, and where indicated by an asterisk, by electronic mail, this 30th day of December, 2010.

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