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October 11, 2011

Office of the Secretary (Original Via Certified Mail, Return Receipt Requested)  
U.S. Nuclear Regulatory Commission  
Attention: Rulemakings and Adjudications Staff  
Washington, D.C. 20555-0001

Office of the Secretary (Copy Via Federal Express Overnight Delivery)  
U.S. Nuclear Regulatory Commission  
Sixteenth Floor  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852

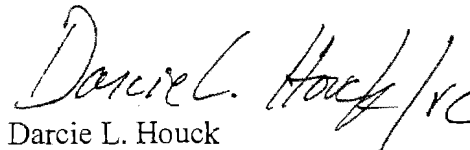
**Re: In the Matter of: U.S. Department of Energy (License Application for  
Geologic Repository at Yucca Mountain), Docket No. 63-001, ASLB No. 09-  
892-HLW-CAB-04**

Dear Secretary of the Commission:

Please find enclosed the Timbisha Shoshone Tribe's Petition for Review of the Atomic Safety and Licensing Board Order of September 28, 2011 ("Petition"). The Petition was filed via the E-filing system established for the above-referenced pre-license proceeding before the Atomic Safety and Licensing Board on October 10, 2011, and consequently was served upon all parties to the proceeding. Physical copies of this Petition are being mailed to the Office of the Secretary at both of the above-listed addresses, in accordance with 10 C.F.R. § 2.305(e) in order to effectuate and ensure service on the Secretary of the Commission. Thank you in advance for your attention to this matter.

Very truly yours,

FREDERICKS PEEBLES & MORGAN LLP

  
Darcie L. Houck

DLH:jct  
enclosure