

February 9, 2012

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
ENTERGY NUCLEAR OPERATIONS, INC.) Docket Nos. 50-247-LR/286-LR
)
(Indian Point Nuclear Generating)
Units 2 and 3))

CERTIFICATION OF COUNSEL
FOR NRC STAFF'S ANSWER IN SUPPORT OF ENENERGY'S MOTION IN LIMINE TO
EXCLUDE PORTIONS OF PRE-FILED TESTIMONY AND EXHIBITS FOR CONTENTION
NYS-37 (ENERGY ALTERNATIVES)

In accordance with the Board's Scheduling Order of July 1, 2010 (at 8-9) and 10 C.F.R. § 2.323(b), the undersigned counsel hereby certifies that counsel for the NRC Staff has participated in discussions between the Entergy Nuclear Operations, Inc. ("Entergy"), the movant, and the Intervenor New York State, concerning Entergy's Motion in Limine to Exclude Portions of Pre-Filed Testimony and Exhibits for Contention NYS-37 (Energy Alternatives), filed on January 30, 2012 in this matter, and has made a sincere effort to make themselves available to listen and respond to the movant and the Intervenor, and to resolve the factual and legal issues raised in the motions. NRC Staff counsel's efforts to resolve the issues have been unsuccessful.

Respectfully submitted,

Dated at Rockville, Maryland
this 9th day of February, 2012

/Signed (electronically) by/
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CERTIFICATE OF SERVICE

I hereby certify that copies of the Certification of Counsel for NRC Staff's Answer in Support of Entergy's Motion in Limine to Exclude Portions of Pre-Filed Testimony and Exhibits for Contention NYS-37 (Energy Alternatives) in the above-captioned proceeding have been served on the following by Electronic Information Exchange this 9th day of February, 2012.

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Dated at Rockville, Maryland
this 9th day of February, 2012