

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Lawrence G. McDade, Chairman
Dr. Michael F. Kennedy
Dr. Richard E. Wardwell

In the Matter of

ENTERGY NUCLEAR OPERATIONS, INC.

(Indian Point Nuclear Generating Units 2 and 3)

Docket Nos. 50-247-LR and 50-286-LR

ASLBP No. 07-858-03-LR-BD01

August 2, 2013

ORDER

(Granting Riverkeeper's Motion)

On July 26, 2013, Riverkeeper, Inc. (Riverkeeper) filed a motion to hold Entergy Nuclear Operations, Inc.'s (Entergy) motion to dismiss RK-EC-8 in abeyance or, in the alternative, for an extension of time to respond.¹ Riverkeeper states that it intends to submit an amended version of RK-EC-8 on or before August 20, 2013.² Entergy and the NRC Staff oppose Riverkeeper's motion.³

Good cause having been shown, Riverkeeper's motion for an extension of time is GRANTED. Accordingly, Riverkeeper's response to Entergy's motion to dismiss will be considered timely if filed on or before August 20, 2013.

¹ See Riverkeeper, Inc. Motion to Hold Entergy's Motion to Dismiss RK-EC-8 (Endangered Species) in Abeyance or for Extension of Time to Respond (July 26, 2013).

² Id. at 3–4.

³ Id.; see also Entergy's Answer Opposing Riverkeeper, Inc.'s Motion to Hold Entergy's Motion to Dismiss RK-EC-8 (Endangered Species) in Abeyance or for Extension of Time to Respond (Aug. 1, 2013).

After receiving Riverkeeper's pleadings (*i.e.*, an opposition to Entergy's motion to dismiss and a motion to amend RK-EC-8), as well as any response Entergy may submit on or before August 30, 2013, the Board will decide whether to hold in abeyance Entergy's motion to dismiss until after the Board rules on Riverkeeper's anticipated motion to amend.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Lawrence G. McDade, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 2, 2013

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Granting Riverkeeper's Motion)** have been served upon the following persons by Electronic Information Exchange.

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Docket Nos. 50-247-LR and 50-286-LR
ORDER (Granting Riverkeeper's Motion)

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Docket Nos. 50-247-LR and 50-286-LR
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[Original signed by Herald M. Speiser _____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 2nd day of August, 2013