

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

January 14, 2014

ORDER

(Granting New York's Motion)

On December 23, 2013, the NRC Staff filed a Response to the State of New York Motion to Reopen the Record and for Reconsideration of Contention NYS-12C<sup>1</sup> and Entergy Nuclear Operations, Inc. (Entergy) filed an Answer Opposing State of New York Motion to Reopen the Record and for Reconsideration of Contention NYS-12C.<sup>2</sup> On January 8, 2014, the State of New York (New York) filed a Motion for Leave to File Reply on Motion to Reopen the Record and for Reconsideration of Contention NYS-12C.<sup>3</sup> Entergy and the NRC Staff oppose New York's motion for leave to reply.<sup>4</sup> Because of other pending matters, granting New York's motion will not in any way delay the progress or resolution of this proceeding and, adequate

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<sup>1</sup> See NRC Staff Response to the State of New York Motion to Reopen the Record and for Reconsideration of Contention NYS-12C (Dec. 23, 2013).

<sup>2</sup> See Entergy Answer Opposing State of New York Motion to Reopen the Record and for Reconsideration of Contention NYS-12C (Dec. 23, 2013).

<sup>3</sup> New York Motion for Leave to File Reply on Motion to Reopen the Record and for Reconsideration of Contention NYS-12C (Jan. 8, 2014).

<sup>4</sup> See Entergy Answer Opposing Motion for Leave to File Reply (Jan. 9, 2014) and NRC Staff Answer to State of New York Motion for Leave to File Reply On Motion to Reopen the Record and for Reconsideration of Contention NYS-12C (Jan. 9, 2014).

cause being shown, we grant New York's motion to file a reply in order to address the new facts and technical information not previously available. This reply must be filed not later than close of business on January 22, 2014.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Lawrence G. McDade, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
January 14, 2014

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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Units 2 and 3) )

CERTIFICATE OF SERVICE

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

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[Original signed by Brian Newell ]  
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Dated at Rockville, Maryland  
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