

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE COMMISSION

In the Matter of)	
)	
ENTERGY NUCLEAR OPERATIONS, INC.,)	
ENTERGY NUCLEAR GENERATION)	
COMPANY, AND HOLTEC)	Docket Nos. 50-293-LT & 72-1044-LT
DECOMMISSIONING INTERNATIONAL,)	
LLC)	
)	
(Pilgrim Nuclear Power Station))	
)	
)	

**JOINT MOTION OF APPLICANTS AND THE COMMONWEALTH
OF MASSACHUSETTS FOR A STAY OF ISSUANCE OF A DECISION ON THE
PENDING PETITIONS FOR INTERVENTION AND A HEARING**

Holtec International, Holtec Decommissioning International, LLC, Entergy Nuclear Generation Company (now known as Holtec Pilgrim, LLC), and Entergy Nuclear Operations, Inc. (Applicants) and the Petitioner, the Commonwealth of Massachusetts (Commonwealth), with the support of Petitioner Pilgrim Watch, respectfully request a stay of the issuance of a decision on the Commonwealth’s and Pilgrim Watch’s pending Petitions for Leave to Intervene and Hearing Requests so that the Applicants and the Commonwealth can attempt to finalize a settlement agreement, which would result in the withdrawal of the Commonwealth’s pending contentions and its two petitions for review pending before the U.S. Court of Appeals for the District of Columbia Circuit. In further support of this motion, the Applicants and the Commonwealth state:

1. On February 20, 2019, the Commonwealth and Pilgrim Watch both filed Petitions for Leave to Intervene and Hearing Requests regarding, among other things, an application to transfer the license for Pilgrim Nuclear Power Station in Plymouth, Massachusetts. On June 3,

2020, the Nuclear Regulatory Commission (NRC or Commission) provided notice of the Commission's intention to hold on June 4, 2020 at 2:30 p.m. by teleconference an affirmation session regarding the pending Petitions.

2. The Holtec Applicants and the Commonwealth have been deeply engaged in settlement discussions over the last few months to address, among other things, concerns related to the issues raised in the Commonwealth's pending NRC and D.C. Circuit petitions. For example, the Holtec Applicants and the Commonwealth have been meeting daily over the last three weeks to narrow the outstanding issues and finalize the settlement agreement. Those sustained efforts have paid substantial dividends, and the Holtec Applicants and the Commonwealth have an agreement in principle on the majority of the issues subject to their discussions and are thus close to finalizing an agreement with only discrete final issues left to resolve. The Holtec Applicants and the Commonwealth are committed to continuing to work in good faith towards a mutually acceptable final settlement agreement but they need a short, additional period to do so given the complexity of the issues. The Holtec Applicants and the Commonwealth have a mutual goal of resolving the limited, outstanding issues in the very near term.

3. The Applicants and the Commonwealth are both concerned that today's expected decision by the Commissioners on the pending Petitions could upset the current negotiating positions of the Applicants and the Commonwealth and affect the substantial progress they have made to date towards finalizing a settlement agreement, which will benefit the Applicants, the Commonwealth, the Commission, and the public. If an agreement is not reached, the Commonwealth, for example, expects to continue to pursue vigorously its pending D.C. Circuit petitions and, if the Commissioners' anticipated decision later today is in any way adverse to the

Commonwealth, to file a new petition seeking judicial review of that decision too. A stay, therefore, is in the interests of all parties, including the Commission, and the public.

4. The Applicants and the Commonwealth thus request that the Commission issue an order staying issuance of a decision on the Petitions; directing the Applicants and the Commonwealth to file joint status reports every ten (10) days to report on the status of their efforts to finalize their settlement agreement; and continue the stay and status reporting obligation until they either report that an agreement has been finalized and the Commonwealth withdraws its Petition or report that they have been unable to resolve the few remaining differences between them.

5. The Commonwealth has conferred with Pilgrim Watch regarding this motion and Pilgrim Watch supports this motion.

* * *

For the foregoing reasons, and for good cause shown, the Applicant and the Commonwealth request that the Commission grant this Motion and enter an order consistent with the conditions set forth in Paragraph 4 above.

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Respectfully submitted this 4th day of June 2020,

HOLTEC INTERNATIONAL,
HOLTEC DECOMMISSIONING
INTERNATIONAL, LLC,
HOLTEC PILGRIM, LLC

Signed electronically by Alan D. Lovett

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ENTERGY NUCLEAR OPERATIONS,
INC.

Executed in accord with 10 C.F.R. 2.304(d)

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COMMONWEALTH OF
MASSACHUSETTS

By its attorneys,

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Executed in accord with 10 C.F.R. 2.304(d)

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CERTIFICATION OF COUNSEL

In accordance with 10 C.F.R. § 2.323(b), counsel for the Commonwealth of Massachusetts certifies that he made a sincere effort to contact the other parties in this proceeding on June 3 and 4, 2020, to explain to them the factual and legal issues raised in this Motion, and to resolve those issues to the extent practicable, and he certifies that his efforts have been successful and that Pilgrim Watch supports the Motion.

Executed in accord with 10 C.F.R. 2.304(d)
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Dated: June 4, 2020

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CERTIFICATION OF SERVICE

Pursuant to 10 C.F.R. § 2.305, I certify that the foregoing Joint Motion has been served upon the Electronic Information Exchange, the NRC's e-filing system, in the above-captioned proceeding this 4th day of June 2020.

Signed (electronically) by
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Dated: June 4, 2020