

1. Motion
2. Lit. File

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

CONNECTICUT COALITION
AGAINST MILLSTONE

Petitioner,

v.

U.S. NUCLEAR REGULATORY COMMISSION,
Respondent.

No. 04-3577-ag

UNOPPOSED MOTION OF
DOMINION NUCLEAR CONNECTICUT, INC
FOR LEAVE TO INTERVENE

Dominion Nuclear Connecticut, Inc. ("DNC") respectfully moves, pursuant to 28 U.S.C § 2348 and F.R.A.P 15(d), for leave to intervene in the above-entitled action. In support of this motion, DNC states the following:

1. Petitioner Coalition Against Millstone ("CCAM") is seeking review of a Memorandum and Order of the Nuclear Regulatory Commission ("NRC") relating to a request by CCAM for a hearing on DNC's application to renew the operating licenses for the Millstone Power Station, Units 2 and 3.

2. DNC is the NRC-licensed operator of the Millstone Power Station, the sole owner of Unit 2, and the majority owner of Unit 3. CCAM's challenge to the NRC's Memorandum and Order directly effects the renewal of the operating licenses for these units. Thus, DNC has a substantial, direct and tangible interest in the ultimate resolution of this proceeding. Although the NRC is a Respondent with respect to CCAM's petition for review, DNC has a separate

interest apart for the regulatory interests of the NRC. It is therefore submitted that DNC is entitled to intervene in this proceeding.

4. Counsel for the NRC and Counsel for CCAM have authorized DNC to state that their clients do not oppose DNC's intervention in this matter.

Wherefore, DNC requests that it be granted leave to intervene as a party respondent in the above captioned proceeding,

Respectfully submitted,

A handwritten signature in black ink, appearing to read "DRL", is written over a horizontal line.

David R. Lewis.
Matias Travieso-Diaz.

Lillian M. Cuoco
Dominion Resources Services, Inc.
Millstone Power Station
Rope Ferry Road
Waterford, CT 06835

SHAW PITTMAN, LLP
2300 N. Street, N.W.
Washington, D.C. 20037
(202) 663-8000

Counsel for Dominion Nuclear Connecticut, Inc.

Dated: July 19, 2004

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**CORPORATE DISCLOSURE STATEMENT
OF DOMINION NUCLEAR CONNECTICUT, INC.**

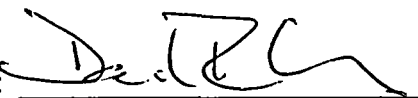
Pursuant to Fed. R. App. P. 26.1, Dominion Nuclear Connecticut, Inc. ("DNC") hereby files this Disclosure Statement.

DNC is a corporation organized under the laws of the State of Delaware, with its principal place of business in Connecticut. DNC is the licensed owner and operator of Millstone Power Station, Units 1, 2 and 3, and is principally engaged in the business of generating electricity.

DNC is an indirect wholly-owned subsidiary of Dominion Resources, Inc. ("DRI"). DNC is owned directly by Dominion Energy Marketing, Inc. and Dominion Nuclear Marketing III, L.L.C., which collectively own 100 percent of DNC's stock. Other intermediate subsidiaries in the organization between DRI and one or more of the two direct owners of DNC are: Dominion Energy, Inc.; Dominion Nuclear Holdings, Inc.; Dominion Retail, Inc.; and

Consolidated Natural Gas Company. There are no other publicly held corporations owning ten percent or more of DNC's stock.

Respectfully submitted,

By: 

David R. Lewis
Matias Travieso-Diaz

SHAW PITTMAN, LLP
2300 N. Street, N.W.
Washington, D.C. 20037
(202) 663-8474

Counsel for Dominion Nuclear Connecticut Inc.

Dated: July 19, 2004

MOTION INFORMATION STATEMENT

Caption [use short title]

Docket Number(s): 04-3577-ag

Connecticut Coalition Against Millstone v.
U.S. Nuclear Regulatory Commission

Motion for: Leave to Intervene

Set forth below precise, complete statement of relief sought:

Dominion Nuclear Connecticut, Inc., the majority owner and operator of the Millstone
Power Station, and the applicant in the administrative proceeding to which the Petition
for review relates, seeks to intervene as a party-respondent.

MOVING PARTY: Dominion Nuclear Connecticut, Inc. OPPOSING PARTY: Connecticut Coalition Against
☐ Plaintiff ☐ Defendant Millstone

☐ Appellant/Petitioner ☐ Appellee/Respondent

MOVING ATTORNEY: David R. Lewis
[name of attorney, with firm, address, phone number and e-mail]
Shaw Pittman, LLP
2300 N Street, N.W.
Washington, D.C. 20037
(202) 663-8474
david_lewis@shawpittman.com

OPPOSING ATTORNEY [Name]: Nancy Burton
[name of attorney, with firm, address, phone number and e-mail]
147 Cross Highway
Redding Ridge, CT 06876
(203) 938-3952
NancyBurtonEsq@aol.com

Court-Judge/Agency appealed from: U.S. Nuclear Regulatory Commission

Please check appropriate boxes:

Has consent of opposing counsel:

A. been sought? ☒ Yes ☐ No
B. been obtained? ☒ Yes ☐ No

Is oral argument requested? ☐ Yes ☒ No
(requests for oral argument will not necessarily be granted)

Has argument date of appeal been set? ☐ Yes ☒ No
If yes, enter date _____

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND
INJUNCTIONS PENDING APPEAL:

Has request for relief been made below? ☐ Yes ☐ No

Has this relief been previously sought
in this Court? ☐ Yes ☐ No

Requested return date and explanation of emergency:

Signature of Moving Attorney:

Date: 7/19/04

Has service been effected? ☒ Yes ☐ No
[Attach proof of service]

ORDER

IT IS HEREBY ORDERED THAT the motion is GRANTED DENIED.

FOR THE COURT:

ROSEANN B. MacKECHNIE, Clerk of Court

Date: _____

By: _____

CERTIFICATE OF SERVICE

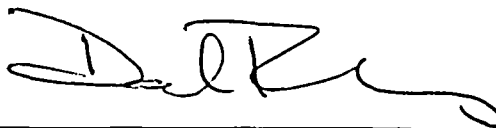
I hereby certify that true copies of the foregoing pleadings were served upon the following by deposit in the United States mail, first class, postage prepaid, on this 19th day of July, 2004.

John F. Cordes, Esq.
Solicitor
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Ms. Annette Vietti-Cook
Secretary to the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Environmental Division, Appellate Section
U.S. Department of Justice
Washington, D.C. 20530

Nancy Burton, Esq.
147 Cross Highway
Redding Ridge, CT 06876

A handwritten signature in black ink, appearing to read 'D. R. Lewis', written over a horizontal line.

David R. Lewis
Counsel for Dominion Nuclear Connecticut, Inc.