

RAS 8808

JONATHAN M. BLOCK
ATTORNEY

AT

LAW
94 Main Street
P.O. Box 566
Putney, VT. 05346-0566
802-387-2646 (vox)
-2667 (fax)
jonb@sover.net

November 5, 2004

DOCKETED
USNRC

November 5, 2004 (2:59PM)

Secretary
United States Nuclear Regulatory Commission
Washington, DC 20555-0001
ATT: Rulemakings and Adjudications Staff

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

RE:

In the Matter of
ENTERGY NUCLEAR VERMONT YANKEE L.L.C.
and
ENTERGY NUCLEAR OPERATIONS, INC.
(Vermont Yankee Nuclear Power Station)

Docket No. 50-271-OLA

ASLBP No. 04-832-02-OLA

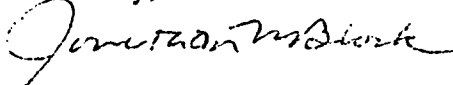
November 5, 2004

Dear Rulemakings and Adjudications Staff:

Enclosed for filing in the above referenced matter please find the original and two copies of New England Coalition's letter to the Atomic Safety and Licensing Board panel in this case concerning the continued lack of public access to NRC public documents. The same document was filed electronically with your office on this date.

Thank you for your cooperation.

Sincerely,



Jonathan M. Block
Attorney for New England Coalition

cc:: Service List

Template = SECY-043

SECY-02

JONATHAN M. BLOCK
ATTORNEY

AT

LAW
94 Main Street
P.O. Box 566
Putney, VT. 05346-0566
802-387-2646 (vox)
-2667 (fax)
jonb@sover.net

November 5, 2004

Administrative Judge Alex S. Karlin, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Washington, DC 20555-0001
Administrative Judge Lester S. Rubenstein
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission

In the Matter of Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc.
(Vermont Yankee Nuclear Power Station)
Docket No. 50-271-OLA

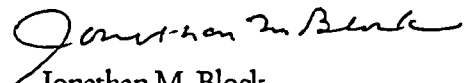
Dear Administrative Judges:

This is to inform you that, on November 4, 2004, the Solicitor General of the United States Nuclear Regulatory Commission, John F. Cordes, stated in a letter to Daniel E. Cassagrande, Esq., that, "it is expected to be at least several weeks before public access to ADAMS can be restored" (emphasis added). It has now been twelve days without access to public documents in this case.

Although NRC Staff counsel stated to the Board that they would "keep you and the participants informed" on the progress of restoring public access to public documents, the only recent communication informed the Board and participants that access to Yucca Mountain documents was restored--access not relevant to this proceeding. The Solicitor General's letter supplements the NRC Staff website announcement that it would be "at least several weeks [from October 25] before ADAMS is partially restored." This statement apparently refers solely to Yucca Mountain files.

With your permission, New England Coalition will keep the Board and participants informed of any change in this situation that come to our attention.

Respectfully submitted,


Jonathan M. Block
Counsel for New England Coalition

cc: Service List

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD**

Before Administrative Judges:

Alex S. Karlin, Chairman
Dr. Anthony J. Baratta
Lester S. Rubenstein

In the Matter of
ENTERGY NUCLEAR VERMONT YANKEE L.L.C.
and
ENTERGY NUCLEAR OPERATIONS, INC.
(Vermont Yankee Nuclear Power Station)

Docket No. 50-271-OLA

ASLBP No. 04-832-02-OLA

November 5, 2004

CERTIFICATE OF SERVICE

I hereby certify that paper copies of the within letter to the Board were served on the persons listed below on this day by deposit in the U.S. Mail, first class, postage prepaid, the 5th Day of November, 2004. In addition to the NRC Hearing Docket, persons served by electronic mail on this day are indicated below by an asterisk:

*Administrative Judge
Alex S. Karlin, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
ask2@nrc.gov

*Administrative Judge
Lester S. Rubenstein
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
lesrrr@msn.com

*Administrative Judge
Dr. Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
ajb5@nrc.gov

Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

*Secretary
Att'n: Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
hearingdocket@nrc.gov

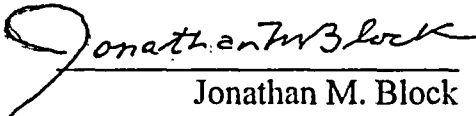
*Sarah Hoffman
Special Counsel
Department of Public Service
112 State Street – Drawer 20
Montpelier, VT 05620-2601
Sarah.Hofmann@state.vt.us

*Anthony Z. Roisman
National Legal Scholars Law Firm
84 East Thetford Rd.
Lyme, NH 03768
aroisman@valley.net

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

*Brooke Poole, Esq.
*Robert Weisman, Esq.
*Marisa Higgins, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
bdp@nrc.gov, rmw@nrc.gov,
mch5@nrc.gov

*Jay E. Silberg, Esq.
*Matias F. Travieso-Diaz, Esq.
*Douglas Rosinski, Esq.
Shaw Pittman
2300 N. Street, N.W.
Washington, D.C. 20037
Jay.Silberg@shawpittman.com
Matias.Travieso-Diaz@shawpittman.com
Douglas.Rosinski@shawpittman.com



Jonathan M. Block
94 Main Street
P.O. Box 566
Putney, VT 05346-0566
(802) 387-2646
mailto:jonb@sover.net