

February 22, 2006 (11:38am)

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSIONOFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFFBefore the Atomic Safety and Licensing Board*In the Matter of*Entergy Nuclear Vermont Yankee, LLC, and  
Entergy Nuclear Operations, Inc.  
(Operating License Amendment)  
(Vermont Yankee Nuclear Power Station)

Docket No. 50-271

ASLBP No. 04-832-02-OLA

February 6, 2006

**NEW ENGLAND COALITION'S UNOPPOSED MOTION  
FOR ENLARGEMENT OF TIME TO FILE A BRIEF**

Pursuant to 10 C.F.R. § 2.323, New England Coalition ("NEC") hereby files this unopposed motion seeking that the Atomic Safety and Licensing Board ("Board") enlarge by one week the time allowed for NEC to file its brief on the question of which regulations underlie NEC's Contention 4 in the above-captioned matter, so that NEC's brief is due on February 14, 2006.

The basis for NEC's motion is as follows. During the telephonic scheduling conference on January 24, 2006, the Board set a date of February 7, 2006 for the submission of NEC's brief. NEC is unable to comply with this requirement as its staff of one is fully occupied with the ongoing technical hearings before Vermont's Public Service Board on the issue of dry cask storage at Vermont Yankee. The number of witnesses questioned and the length of time necessary to prepare for each witness have been far greater than expected. These hearings, scheduled in September of 2005, began on January 30, 2006 and will be completed by February 10<sup>th</sup>. This motion seeks that NEC be granted 7 additional days in order to prepare its brief.

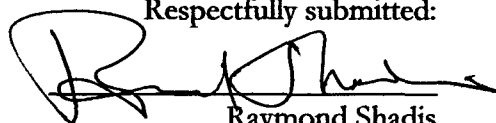
## **CERIFICATION**

Pursuant to 10 C.F.R. § 2.323(b), NEC certifies that it has consulted with counsel for Entergy, the NRC staff, and counsel for the Vermont Department of Public Service ("DPS"). NEC has been advised that Entergy and the NRC have taken no position on NEC being granted the enlargement of time sought herein. The DPS has stated that it does not object to NEC being granted the relief sought herein.

## **CONCLUSION**

For the reasons stated above, NEC requests that the Board grant it until February 14, 2006 to file its brief in this matter.

Respectfully submitted:



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cc: Service List

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
ENTERGY NUCLEAR VERMONT YANKEE)	)	Docket No. 50-271-OLA
LLC and ENTERGY NUCLEAR	)	
OPERATIONS, INC.	)	ASLBP No. 04-832-02-OLA
	)	
(Vermont Yankee Nuclear Power Station)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of New England Coalition's "Unopposed Motion for Enlargement of Time to File a Brief" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class this 14<sup>th</sup> day of February 2006 and by e-mail as indicated by a double asterisk (\*\*), the 6<sup>th</sup> day of February, 2006<sup>1</sup>.

Alex S. Karlin, Chair** Administrative Judge Atomic Safety and Licensing Board Panel Mail Stop T-3F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 E-mail: ask2@nrc.gov	Dr. Anthony J. Baratta** Administrative Judge Atomic Safety and Licensing Board Panel Mail Stop T-3F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 E-mail: ajb5@nrc.gov
Lester S. Rubenstein** Administrative Judge Atomic Safety and Licensing Board Panel 4760 East Country Villa Drive Tucson, AZ 85718 E-mail: lesrrr@comcast.net	Office of the Secretary** ATTN: Rulemaking and Adjudications Staff Mail Stop: O-16C1 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 E-mail: HEARINGDOCKET@nrc.gov
Office of Commission Appellate Adjudication Mail Stop: O-16C1 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001	John M. Fulton, Esq. Assistant General Counsel Entergy Nuclear Operations, Inc. 440 Hamilton Avenue White Plains, NY 10601

<sup>1</sup> Through an inadvertent omission in New England Coalition's outgoing mail list, conforming hardcopy this Motion was not deposited in the US Mail on February 6<sup>th</sup>, as represented in New England Coalition's electronic filing of February 6, 2006. Conforming hardcopy is provided today, February 14, 2006. New England Coalition deeply regrets an inconvenience, concern, or confusion that may have resulted.

<p>Jay E. Silberg, Esq.**  Matias Travieso-Diaz, Esq.**  Pillsbury Winthrop Shaw Pittman, LLP  2300 N St., NW  Washington, DC 20037-1128  E-mail: jay.silberg@pillsburylaw.com  matias.travieso-diaz@pillsburylaw.com  douglas.rosinski@pillsburylaw.com</p>	<p>Sarah Hofmann, Esq.**  Special Counsel  Department of Public Service  112 State Street - Drawer 20  Montpelier, VT 05620-2601  E-mail: sarah.hofmann@state.vt.us</p>
<p>Anthony Z. Roisman, Esq.**  National Legal Scholars Law Firm  84 East Thetford Rd.  Lyme, NH 03768  E-mail: aroisman@nationallegalscholars.com</p>	
<p>Jonathan M. Rund, Esq.**  Law Clerk  Atomic Safety and Licensing Board Panel  Mail Stop: T-3F23  U.S. Nuclear Regulatory Commission  Washington, DC 20555-0001  (E-mail: <a href="mailto:jmr3@nrc.gov">jmr3@nrc.gov</a>)</p>	<p>Sherwin E. Turk, Esq.**  Jason C. Zorn, Esq.**  Office of the General Counsel  Mail Stop O-15 D21  U.S. Nuclear Regulatory Commission  Washington, DC 20555-0001  <a href="mailto:set@nrc.gov">set@nrc.gov</a>, <a href="mailto:jcz@nrc.gov">jcz@nrc.gov</a></p>



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**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

**BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

*In the matter of*

ENTERGY NUCLEAR VERMONT YANKEE, LLC  
and ENTERGY NUCLEAR OPERATIONS, INC.  
(Vermont Yankee Nuclear Power Station)

February 14, 2006

Docket No. 50-271

ASLBP No. 04-832-02-OLA

Office of the Secretary  
ATTN: Rulemaking and Adjudications Staff  
Mail Stop: O-16C1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Rulemaking and Adjudications Staff,

Please find for filing in the above captioned matter one original and two copies of  
**NEW ENGLAND COALITION'S UNOPPOSED MOTION FOR  
ENLARGEMENT OF TIME TO FILE A BRIEF.**

Thank you for your kind assistance in making this filing,



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