

**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

**BEFORE COMMISSIONERS
KRISTINE L. SVINICKI,
WILLIAM D. MAGWOOD, IV,
GEORGE APOSTOLAKIS, AND
WILLIAM C. OSTENDORFF AND
CHAIRMAN ALLISON M. MACFARLANE**

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In re:	Docket Nos. 50-247-LR; 50-286-LR
License Renewal Application Submitted by	ASLBP No. 07-858-03-LR-BD01
Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC, and Entergy Nuclear Operations, Inc.	DPR-26, DPR-64 April 4, 2014

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**STATE OF NEW YORK'S NOTICE
PURSUANT TO THE SECRETARY'S FEBRUARY 28, 2014 ORDER**

On April 1, 2014, the Atomic Safety and Licensing Board denied the State of New York's December 7, 2013 motion to reopen the record and for the reconsideration of the Board's November 27, 2013 decision concerning Contention NYS-12C.¹ Pursuant to the Secretary's February 28, 2014 Order,² the State informs the Commission and the parties that the State will not seek to amend or withdraw its pending February 14, 2014 petition for review of the Board's November 27, 2013 decision concerning Contention NYS-12C³ as a consequence of the April 1, 2014 Board order. The State will, however, file a separate petition for review of the April 1, 2014 Board order pursuant to 10 C.F.R. §§ 2.341(b)(1), (f)(2).

¹ *Entergy Nuclear Operations, Inc.* (Indian Point Nuclear Generating Units 2 & 3), Order (Denying New York's Motion to Reopen the Record; Setting Deadline for New or Amended Contention) (Apr. 1, 2014) (ML14091A319).

² *Entergy Nuclear Operations, Inc.* (Indian Point Nuclear Generating Units 2 & 3), Order of the Secretary on behalf of the Commission (Feb. 28, 2014) (ML14059A539).

³ State of New York Petition for Review of Atomic Safety and Licensing Board Decision LBP-13-13 with Respect to Consolidated Contention NYS-12C (Feb. 14, 2014) (ML14045A412).

Respectfully submitted,

Signed (electronically) by

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Dated: April 4, 2014

DRAFT

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

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CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2014, copies of the State of New York's Notice Pursuant to the Secretary's February 28, 2014 Order were served electronically via the Electronic Information Exchange on the following recipients:

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Dated at Albany, New York
this 4th day of April 2014