

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

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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

May 26, 2015

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**UNOPPOSED MOTION BY THE
STATE OF NEW YORK
FOR AN EIGHT-DAY EXTENSION OF THE
JUNE 1, 2015 FILING DEADLINE**

Office of the Attorney General
for the State of New York
The Capitol
State Street
Albany, New York 12224

The State of New York respectfully requests, pursuant to 10 C.F.R. § 2.307, an eight-day extension of the time to file updated statements of position, supporting testimony and exhibits, as authorized by the Atomic Safety and Licensing Board's December 9, 2014 Revised Scheduling Order¹, from Monday, June 1, 2015 to Tuesday, June 9, 2015. The State has consulted with counsel for Entergy, NRC Staff, Riverkeeper and Clearwater. Entergy, NRC Staff, and Clearwater do not oppose this request. Riverkeeper supports and joins in the motion.

Good cause supports this request. The State intends to file updated testimony, exhibits and statements of position and has been diligently working towards that goal. As part of that effort, the State has been working with its experts, Dr. Richard Lahey and Dr. David Duquette, to update their testimony to address the various developments in this proceeding since 2012, including, but not limited to, NRC Staff's issuance of its November 2014 Supplemental Safety Evaluation Report and extensive correspondence between Entergy and NRC Staff regarding a variety of aging management issues related to license renewal. However, the State's progress has been hampered by the limited availability of its experts due to previously-scheduled foreign travel and significant out-of-state commitments during the month of May. The State therefore seeks a modest eight-day extension of time to file its papers. Entergy and NRC Staff do not oppose the extension so long as the deadlines for subsequent filings associated with the petitioners' pre-filed submissions are shifted in a similar manner. (Thus, for example, Entergy's revised pre-filed testimony would be due 60 days after June 9.) The brief extension requested by the State – and the corresponding shifting of subsequent deadlines – will not delay or impact the evidentiary hearing scheduled to start on November 16.

¹ *Entergy Nuclear Operations, Inc.* (Indian Point Nuclear Generating Units 2 and 3), Revised Scheduling Order (December 9, 2014) (unpublished) ML14343A757.

In addition, under the Board's July 1, 2010 Scheduling Order, the State's motion seeking an extension of time must be filed no later than May 27, 2015.² This motion is therefore timely.

Accordingly, the State requests that the Board grant its motion.

Respectfully submitted,

Signed (electronically) by

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May 26, 2015

² *Entergy Nuclear Operations, Inc.* (Indian Point Nuclear Generating Units 2 and 3), Scheduling Order (July 1, 2010) (unpublished) ML ML101820387.

Certificate Pursuant to 10 C.F.R. § 2.323

In accordance with the Board's Scheduling Order of July 1, 2010 (at 8-9) and 10 C.F.R. § 2.323(b), the undersigned counsel hereby certifies that counsel for the State of New York has made a sincere effort to contact the other parties in the proceeding and resolve the issues raised in the motion. The State of New York's efforts to resolve the issues with the other parties has been successful, and none of the parties oppose the State's motion.

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Entergy Nuclear Indian Point 3, LLC, and
Entergy Nuclear Operations, Inc. May 26, 2015
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CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2015, copies of the State of New York's Unopposed Motion for an Eight Day Extension of the June 1, 2015 Filing Deadline was served electronically via the Electronic Information Exchange on the following recipients:

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