

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the the Matter of)
)
Entergy Nuclear Generation Co. and)
Entergy Nuclear Operations, Inc.) Docket No. 50-293-LR
)
) ASLBP No. 06-848-02-LR
(Pilgrim Nuclear Power Station))

January 14, 2012

**Pilgrim Watch Reply to Entergy's Answer Supporting NRC Staff's Motion
to Strike Portions of Pilgrim Watch's Reply**

INTRODUCTION

On December 19, 2011, the NRC Staff filed a motion to strike from the record portions of Pilgrim Watch's reply to the Staff and Entergy Answers opposing Pilgrim Watch's request for hearing of a new contention relating to aqueous discharges,

The Staff motion is now moot. On January 11, 2012 a majority of the Board (Judges Abramson and Cole) issued a memorandum and order denying Pilgrim's request for hearing. The Majority Order also terminated the proceedings before the Board (Order, 27, emphasis added):

The evidentiary record in this proceeding remains closed, and, as *there are no* pending contentions or *remaining issues to be resolved by this Licensing Board*, the proceeding is hereby TERMINATED.

The Majority Order nowhere mentioned the Staff's December 19, 2011 motion; but its statement that "there are no ... remaining issues" can only be understood as encompassing the Staff's motion.

In short, the motion is moot; and can not now be decided by the Board Majority without reopening the proceeding.

In this posture, Pilgrim Watch will not now address the multiple errors Entergy's Answer; but will do so if and when relevant aspects of the proceeding are reopened

For the foregoing reasons, to the extent that the Board's Order of January 11, 2012 has not already done so, the Board should dismiss the Staff motion as moot.

Respectfully submitted,

(Signed Electronically)

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January 14, 2012