

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
OFFICE OF THE SECRETARY**

**BEFORE THE COMMISSION**

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In the Matter of: )

) January 7, 2008

AmerGen Energy Company, LLC )

) Docket No. 50-219

(License Renewal for Oyster Creek Nuclear )  
Generating Station) )  
)  
)  
\_\_\_\_\_)

**AMERGEN’S ANSWER OPPOSING CITIZENS’ EMERGENCY MOTION FOR  
ADDITIONAL PAGES TO APPEAL THE BOARD’S FINAL DECISION**

AmerGen Energy Company, LLC (“AmerGen”), licensee in the above-captioned matter, hereby files its Answer to the “Emergency Motion for Additional Pages to Appeal the Board’s Final Decision” (“Motion”) filed on January 4, 2008, by Citizens.<sup>1</sup> Because Citizens have failed to provide a legitimate reason for the Commission to stray from the generous twenty-five page limit mandated by 10 C.F.R. § 2.341(b)(2), Citizens’ Motion should be denied.

Page limit requirements are “intended to encourage parties to make their strongest arguments clearly and concisely, and to hold all parties to the same number of pages of argument.” *Hydro Resources, Inc.*, CLI-01-4, 53 NRC 31, 46 (2001). The Commission is “quite aware” that the page limit for petitions for review requires parties to be “direct and concise,” especially where the “issues are numerous and complex.” *In the Matter of Carolina Power & Light Company* (Shearon Harris Nuclear Power Plant) Inc., CLI-01-11, 53 NRC 370, 393 (2001).

<sup>1</sup> The six organizations comprising “Citizens” are Nuclear Information and Resource Service (“NIRS”), Jersey Shore Nuclear Watch, Inc. (“JSNW”), Grandmothers, Mothers and More for Energy Safety (“GRAMMES”), New Jersey Public Interest Research Group (“NJPIRG”), New Jersey Sierra Club (“NJ Sierra Club”), and New Jersey Environmental Federation (“NJEF”).

Certainly, Citizens should be able to adequately brief any issues relating to the single contention at issue in this proceeding while staying within standard page limits. Furthermore, prior to the 2004 revisions to Part 2, the page limit for petitions for review was only ten pages.<sup>2</sup> In comparison to the previous limit, the current twenty-five page maximum is in fact quite generous.

Citizens' motion is perfunctory and provides no rationale for the requested relief, other than a vague reference to "all the issues raised in the proceeding in over two years of litigation." Motion at 1. This case involves a *single* contention that was the subject of a hearing that lasted only two days.

For the foregoing reasons, the Commission should deny Citizens' Motion in its entirety.

Respectfully submitted,



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<sup>2</sup> Changes to Adjudicatory Process, 69 Fed. Reg. 2182, 2225 (Jan. 14, 2004). Ten pages was the applicable page limit in the cases cited above.

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COUNSEL FOR  
AMERGEN ENERGY COMPANY, LLC

Dated in Washington, D.C.  
this 7th day of January 2008

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of "AmerGen's Answer Opposing Citizens' Emergency Motion for Additional Pages to Appeal the Board's Final Decision" were served this day upon the persons listed below, by e-mail and first class mail, unless otherwise noted.

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