STATE OF NEVADA'S SECOND OTHER WITNESS IDENTIFICATION UPDATE

Pursuant to Section C.1 of CAB Case Management Order #2 (September 30, 2009), the State of Nevada ("Nevada") does not have any additional names to add to its "Other Witness" list at this time.

Nevada believes that the parties' duty to update their "Party" witness lists, and "Other" witness lists, has been revived due to the CAB's Memorandum and Order of June 29, denying DOE's Motion to Withdraw. Accordingly, Nevada will also update its "Party" witness list shortly.

Nevada likewise believes that the "legal issue" contentions identified by the CAB in its October 23, 2009 Order are ripe for CAB decision. These issues were thoroughly briefed in December 2009 and January 2010, and oral argument on these issues was conducted on January 26 and 27, 2010. Since these issues were identified by CAB ten months ago, briefing and argument were complete almost 7 months ago, and the stay imposed by CAB of February 16,
2010, ended nearly two months ago, Nevada respectfully suggests that no impediment to the
prompt decision of these issues remains.

Respectfully submitted,

(signed electronically)

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing State of Nevada’s Second Other Witness Identification Update has been served upon the following persons by the Electronic Information Exchange:

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