Pursuant to the Construction Authorization Board’s May 18, 2010, Memorandum and Order (Order), counsel for the State of Washington submits the following statement of time allocations. This statement divides argument time among the opponents to the Department of Energy’s motion to withdraw with prejudice its license application pending before this Board. As requested in the Order, this statement of time allocations includes the name, affiliation, and opponent represented for each counsel presenting argument.

Counsel for the following opponent parties and proposed intervenors have met and conferred on this statement: Nye County, Nevada; the Four Nevada Counties; White Pine County, Nevada; the Nuclear Energy Institute; Aiken County, South Carolina; State of South Carolina; State of Washington; Prairie Island Indian Community (PIIC); and the National Association of Regulatory Utility Commissioners (NARUC). Counsel for all opponent parties and proposed intervenors have agreed to the below time allocations. In addition, all counsel making argument are coordinating their arguments around topical areas to avoid duplication as much as possible, while preserving the ability of each counsel to fully represent the distinct interests of each client.

1 NARUC, which opposes the motion to withdraw, has indicated for logistical reasons that it does not intend to participate in oral argument.
The time allocations below have been allocated conservatively in favor of ensuring sufficient
time for each argument.

**Time Allocations:**

<table>
<thead>
<tr>
<th>Counsel/Affiliation</th>
<th>Affiliation</th>
<th>Opponent Represented</th>
<th>Time Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew A. Fitz</td>
<td>Washington State Office of the</td>
<td>State of Washington</td>
<td>45 mins</td>
</tr>
<tr>
<td></td>
<td>Attorney General</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Don L. Keskey</td>
<td>Public Law Resource Center PLLC</td>
<td>PIIC</td>
<td>10 mins</td>
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<tr>
<td>Thomas R. Gottshall</td>
<td>Haynsworth Sinkler Boyd, P.A.</td>
<td>Aiken County, South Carolina</td>
<td>10 mins</td>
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<tr>
<td>Kenneth P. Woodington</td>
<td>Davidson &amp; Lindemann, P.A.</td>
<td>State of South Carolina</td>
<td>15 mins</td>
</tr>
<tr>
<td>Michael A. Bauser</td>
<td>Nuclear Energy Institute</td>
<td>Nuclear Energy Institute</td>
<td>25 mins</td>
</tr>
<tr>
<td>Robert List</td>
<td>Armstrong Teasdale LLP</td>
<td>Four Nevada Counties of</td>
<td>10 mins</td>
</tr>
<tr>
<td>and/or</td>
<td></td>
<td>Churchill, Esmeralda,</td>
<td></td>
</tr>
<tr>
<td>Richard W. Sears</td>
<td>White Pine County</td>
<td>Lander and Mineral</td>
<td></td>
</tr>
<tr>
<td>Robert M. Andersen</td>
<td>Akerman Senterfitt LLP</td>
<td>Nye County, Nevada</td>
<td>35 mins</td>
</tr>
</tbody>
</table>

DATED this 28th day of May, 2010.

ROBERT M. MCKENNA
Attorney General

Signed (electronically) by Andrew A. Fitz
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ATOMIC SAFETY AND LICENSING BOARD


ASLBP No. 09-892-HLW-CAB04 May 28, 2010

CERTIFICATE OF SERVICE

I hereby certify that copies of the Statement of Oral Argument Time Allocations for Opponents to DOE’s Motion to Withdraw have been served upon the following persons by Electronic Information Exchange.

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