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BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.

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ENVIR. APPEALS BOARD

In re: Dominion Energy Brayton )  
Point, LLC (formerly )  
USGen. New England, Inc. )  
Brayton Point Station )

**NPDES Permit No.: MA0003654**  
**Appeal No.: NPDES 07-01**

STATE OF RHODE ISLAND'S MOTION FOR LEAVE TO SUBMIT  
*AMICUS* BRIEF AND OTHER FILINGS IN OPPOSITION TO PETITION FOR  
REVIEW OF NOVEMBER 30, 2006 DETERMINATION ON REMAND ISSUED  
BY REGION 1 IN RELATION TO NPDES PERMIT  
FOR BRAYTON POINT STATION

Submitted By:

STATE OF RHODE ISLAND  
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NOW HERE COMES, the STATE OF RHODE ISLAND and hereby moves for leave to submit the attached amicus brief in response to Dominion's Petition for Review of November 30, 2006 Determination on Remand Issued By Region 1 In Relation To NPDES Permit No. MA 0003654 for the Brayton Point Station. Rhode Island also seeks leave to file responsive pleadings and motions in this proceeding should review be granted.

Rhode Island's Motion for Leave to Intervene was denied in the Petition for Review granted by the Board on February 19, 2004, but the Board granted amicus curiae ("amicus") status to Rhode Island in the that proceeding. For this reason, Rhode Island seeks only to participate as an amicus in this related proceeding, but reserves all rights on appeal.

Respectfully submitted,

STATE OF RHODE ISLAND  
PATRICK C. LYNCH  
ATTORNEY GENERAL

RHODE ISLAND DEPARTMENT  
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MANAGEMENT,

By his attorney,

By its attorney,



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Dated: March 5, 2007

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of *STATE OF RHODE ISLAND'S MOTION FOR LEAVE TO SUBMIT AMICUS BRIEF* was sent to each of the following persons by first-class mail on this 5th day of March, 2007.

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