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June 16, 2006

DOCKETED  
USNRC

June 19, 2006 (7:44am)

Ms. Annette Vietti-Cook, Secretary,  
U.S. Nuclear Regulatory Commission  
Washington D.C. 20555

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Re: Florida Power & Light Co, FPL Energy Seabrook, LLC, and FPL Energy Duane  
Arnold, LLC; Docket Nos. 50-250 & 50-251, 50-335 & 50-389, 50-443 and 50-331

Constellation Generating Group, LLC;  
Docket Nos. 50-317 & 50-318, 72-8, 50-220 & 50-410, and 50-244

Dear Ms. Vietti-Cook:

In connection with the proposed merger of FPL Group, Inc. and Constellation Energy Group, Inc. on January 20, 2006, Florida Power & Light Company, FPL Energy LLC, and FPL Energy Duane Arnold LLC (the "FPL Group Companies") filed an "Application for Indirect Transfers of Control," pertaining to the operating licenses for the Turkey Point Nuclear Plant, St Lucie Nuclear Plant, Seabrook Station, and the Duane Arnold Energy Center. On January 23, 2006, in connection with the merger, Constellation Generation Group, LLC ("Constellation") filed a separate "Request for Threshold Determination or Application for Approval of 10 CFR 50.80 and 10 CFR 72.50 License Transfers" pertaining to the operating licenses for the Calvert Cliffs, Nine Mile Point, and R.E. Ginna Nuclear Generating Stations. On February 20, 2006, the NRC published separate Federal Register notices for each plant permitting hearing requests within 20 days of the notices (i.e., by March 13, 2006). 71 Fed. Reg. 9,168, 9,170, 9,171, 9,172, 9,173, 9,175, 9,176 (2006).

The FPL Group Companies have learned that the International Brotherhood of Electrical Workers, Local 97 ("Local 97") filed a "Motion for Hearing and Right to Intervene and Protest" dated June 6, 2006, with a caption referring to both the FPL Group and Constellation proceedings. However, the discussion in Local 97's motion relates only Constellation's Nine Mile Point Nuclear Station, and the motion was not served on the FPL Group Companies. Further, Local 97 has no standing to request a hearing on any of the FPL Group Companies' plants. Therefore, the FPL Group Companies believe that the Local 97's motion was not intended and should not be treated as a request for hearing on the FPL Group Companies' application or with respect any of FPL Group Companies' plants.

If the NRC decides to treat Local 97's motion as a request for hearing on the FPL Group Companies' application, the FPL Group Companies submit that the Motion should be summarily dismissed. Again, Local 97 does not have standing and raises no issue pertaining to the transfer

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of indirect control of any of plants owned by the FPL Group Companies. Further, Local 97's motion is nearly three months late and fails to address any of the criteria in 10 C.F.R. § 2.309(c) and (f)(2) required for late filings. Moreover, Local 97's motion contains no contentions as required by 10 C.F.R. 2.309(f). Nor does the general discussion in the motion meet any of the pleading standards for contentions. Indeed, the discussion in Local 97's motion relates to a staffing plan at Constellation's Nine Mile Point Nuclear Station that is unrelated to the merger. Finally, Local 97's motion, which is filed by the principal of a consulting company and is not accompanied by a notice of appearance, does not appear to be filed by a representative permitted by the NRC's Rules of Practice. See 10 C.F.R. § 2.314(b)

For all of these reasons, the FPL Group Companies respectfully submit that Local 97's motion should be dismissed.

Sincerely,



David R. Lewis  
Pillsbury Winthrop Shaw Pittman. LLC

Mitchell S. Ross  
Associate General Counsel  
Florida Power & Light Company

Counsel for Florida Power & Light Company,  
FPL Energy Seabrook, LLC, and  
FPL Energy Duane Arnold, LLC

Enclosures: Notice of Appearance of David Lewis

cc: see attached list

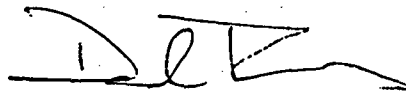
**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of	)	
	)	
<b>Florida Power &amp; Light Company</b>	)	Docket Nos. 50-250, 50-251,
	)	50-335 and 50-389
Turkey Point Nuclear Plant Unit 3	)	
Turkey Point Nuclear Plant Unit 4	)	
St. Lucie Nuclear Plant Unit 1	)	
St. Lucie Nuclear Plant Unit 2	)	
	)	
<b>FPL Energy Seabrook, LLC</b>	)	Docket No. 50-443
	)	
Seabrook Station	)	
	)	
<b>FPL Energy Duane Arnold, LLC</b>	)	Docket No. 50-331
	)	
Duane Arnold Energy Center	)	

**NOTICE OF APPEARANCE OF DAVID R. LEWIS**

David R. Lewis, being an attorney at law in good standing admitted to practice before the courts of the District of Columbia, as well as various federal courts, hereby enters his appearance as counsel on behalf of Florida Power & Light Company, FPL Energy Seabrook, LLC, and FPL Energy Duane Arnold, LLC, in any proceeding related to the above-captioned matter.

Respectfully Submitted,



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Dated: June 15, 2006

Service List

The foregoing letter and Notice of Appearance of David R. Lewis as served on the persons listed below by deposit in the U.S. mail, first class, postage prepaid, this 15th day of June, 2006.

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David R. Lewis