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Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Northern States Power Company **DOCKETED**
Pre-hearing Conference **USNRC**
February 19, 2009 (11:30am)

Docket Number: 50-282-LR; 50-306-LR **OFFICE OF SECRETARY**
RULEMAKINGS AND
ADJUDICATIONS STAFF

Location: (telephone conference)

Date: Thursday, February 5, 2009

Work Order No.: NRC-2644 Pages 163-188

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD PANEL

TELE-CONFERENCE

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In the Matter of: : ASLBP No.
Northern States Power Co., : 50-282-LR;
Prairie Island Nuclear : 50-306-LR
Generating Plant, :
Units I and II, :
Applicant. :

-----x

Thursday,
February 5, 2009

BEFORE THE PANEL:

WILLIAM FROEHLICH, ADMINISTRATIVE JUDGE,
CHAIRMAN
DR. GARY ARNOLD, TECHNICAL JUDGE
DR. THOMAS HIRONS, TECHNICAL JUDGE

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1 ALSO PRESENT:

2

3 *Matthew Rottman, ASLBP law clerk*

4 *Sara Culler, Administrative Assistant*

5 *Patricia Harich, ASLBP Administrative Staff*

6 *Allison Crane, with Mr. Lewis*

7 *Francis Cameron, with Mr. Mahowald*

8 *Nathan Goodman, NRC/OGC*

9 *Rick Plasse, NRC/OGC*

10 *David Roth, NRC/OGC*

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P-R-O-C-E-E-D-I-N-G-S

10:03 a.m.

CHAIR FROELICH: This is Prairie Island Nuclear Generating Plant, Units 1 and 2. It's just after 10:00 a.m., on Thursday, February 5, 2009.

My name is William Froelich, and that's F-R-O-E-H-L-I-C-H. I'm an Administrative Judge and I've been appointed Chair of this board.

Here in Rockville I'm joined today with Dr. Gary Arnold, a member of the board, and a Technical Judge.

The third member of our board is Dr. Thomas Hirons, who is also a Technical Judge and is participating by telephone from Santa Fe, New Mexico.

Also here in Rockville with me today are Mr. Matthew Rottman, the board's law clerk for this case, and our administrative assistant, Sara Culler, who you've dealt with as you linked into the phone conversation.

Ms. Patricia Harich, also a member of the ASLBP, administrative staff, is listening in by phone.

Judge Arnold?

DR. ARNOLD: Okay, for the record would the parties who are on line please identify themselves and any of their colleagues who are with them for the

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1 record?

2 Who is here for the Applicant, Northern
3 States?

4 MR. LEWIS: This is David Lewis, from the
5 law firm of Pillsbury, Winthrop, Shaw & Pittman, and
6 with me in the office is Allison Crane. There are
7 also representatives from Northern States Power
8 listening in from Minnesota. I know that Mr. Peter
9 Glass, counsel for NSP, is on the phone, but I'm not
10 sure who else is at their remote locations.

11 MR. GLASS: We have a few more, so let me
12 just start here with Charlie. Go ahead, Charlie.

13 MR. BOMBERGER: Charlie Bomberger, I'm the
14 Vice President of Nuclear Projects.

15 MR. GLASS: Could you spell your name for
16 the --

17 MR. BOMBERGER: B-O-M-B-E-R-G-E-R.

18 MR. WADLEY: Mike Wadley, W-A-D-L-E-Y.

19 MR. ALBRECHT: Ken Albrecht, A-L-B-R-E-C-
20 H-T.

21 MR. HOLTHAUF: Jim Holthauf, H-O-L-T-H-A-
22 U-F.

23 MR. GLASS: That's it for us.

24 CHAIR FROELICH: Okay, that's it for the
25 Applicant, Northern States.

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1 Who is on the line for the Petitioner, the
2 Prairie Island Indian Community?

3 MR. MAHOWALD: Philip Mahowald, P-H-I-L-I-
4 P M-A-H-O-W-A-L-D, and listening is Francis Cameron,
5 C-A-M-E-R-O-N.

6 CHAIR FROELICH: Fine, and would you give
7 the appearances for the staff, please?

8 Ms. Mizuno?

9 MS. MIZUNO: Sorry, this is Beth Mizuno,
10 with David Roth and Brian Harris. Listening in are
11 staff members Rick Plasse and Nathan Goodman.

12 CHAIR FROELICH: Thank you, is there
13 anyone else on the line, any members of the press or
14 public who have joined this conference?

15 Hearing none.

16 This call is being transcribed by a court
17 reporter. Therefore, I would ask that when you speak
18 please identify yourself to assist the court reporter.

19 Members of the public or consultants to
20 the parties may listen to the proceeding, but I prefer
21 to hear only from counsel for the parties to the case.

22 The purpose of this call is to discuss
23 matters relating to management and scheduling. The
24 Commission's regulations require that the board
25 develop a scheduling order to govern these

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1 proceedings, and to that end the board issued an order
2 on January 23rd, in which it identified seven specific
3 items to be discussed today.

4 We are certainly not limited to those
5 particular items, but unless there's a reason voiced
6 by someone on the line I propose that we discuss those
7 items in the order listed in the January 23rd order.

8 First in that order, the first item was
9 the status of the mandatory disclosure process, 10
10 CFR, Section 2.336 calls for initial disclosure to be
11 made within 30 days of the board's order admitting
12 contention.

13 This board issued an order on December
14 17th, granting the parties' joint motion to extend the
15 deadline for disclosures until February 27th, and
16 allow for supplemental disclosures on the last
17 business day of each month thereafter.

18 Are there any matters regarding the
19 disclosure process that the parties wish to bring to
20 the board's attention?

21 MR. LEWIS: Yes, Judge Froelich, this is
22 David Lewis.

23 CHAIR FROELICH: Thank you.

24 MR. LEWIS: The parties consulted on
25 Monday to prepare for this call, and try and reach

1 agreements, and discuss the matters, and one of the
2 issues that came up is that there may be some
3 proprietary documents that would be disclosed on the
4 privilege log that parties may then want to obtain
5 and, in particular, Mr. Mahowald indicated that
6 there's some information that may be relevant that
7 they may want -- the Indian Community may want to
8 protect as proprietary.

9 And, as a result, we agreed that, I
10 indicated that I would try and work up a proposed
11 protective order for the other parties to consider.
12 And so, just to alert the board at some point we may
13 be submitting something for the board just to govern
14 the protection of proprietary information, and,
15 hopefully, we'll do that, work it out between the
16 parties.

17 CHAIR FROELICH: Mr. Lewis, so that would
18 be, perhaps, a protective order, or a non-disclosure
19 declaration, or something along those lines?

20 MR. LEWIS: Yes, actually, I was planning
21 on following procedures that have been used in other
22 license renewal proceedings and, therefore, I was
23 ready to propose to the parties a proposed protective
24 order with an attached short non-disclosure agreement,
25 agreeing to the protected order.

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1 CHAIR FROELICH: Okay. I think, should
2 that be necessary, if the parties could get together
3 and come up with a joint proposal, a joint order that
4 they agree to, and file it with the board, I think
5 that would be the easiest way to proceed.

6 Thank you, Mr. Lewis.

7 While we are on the mandatory disclosures,
8 I note that there's a hearing file required by 10 CFR,
9 Section 2.1203(a)(1), and it requires within 30 days
10 of the issuance of the order granting request for
11 hearing that the NRC staff shall file the docket,
12 present to the board, and made available to the party
13 the hearing file.

14 Can I inquire of staff as to the status of
15 the hearing file?

16 MS. MIZUNO: Your Honor, this is Beth
17 Mizuno.

18 We are proposing to produce the hearing
19 file and mandatory disclosures on the date set. I
20 think that's what, February 27th?

21 And, we are moving along in that regard.
22 I don't see any particular reason why we should not be
23 able to meet that deadline.

24 We are going to have to cut off the -- we
25 are going to have to establish some internal cutoff

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1 date. I'd say approximately two weeks prior to the
2 27th, in order to pick up, you know, during those two
3 weeks we'll be picking up all the, you know, things
4 that have come in. But, we have to set up some kind
5 of internal cutoff date.

6 CHAIR FROELICH: That's a cutoff date for
7 the initial posting or compilation of the hearing
8 file?

9 MS. MIZUNO: Right.

10 CHAIR FROELICH: And, it's the intent of
11 the staff, I assume, to update the hearing file,
12 perhaps, on a monthly basis, coincident with the date
13 we've set for the mandatory disclosures?

14 MS. MIZUNO: Yes, Your Honor.

15 CHAIR FROELICH: Okay.

16 MR. LEWIS: Judge Froelich, this is David
17 Lewis. My recollection is that our original joint
18 motion referenced and covered both the filings by the
19 parties and the staff, so it applied both to the
20 parties' disclosures and updates and the staff's
21 hearing file and update. That's my best recollection.

22 CHAIR FROELICH: Okay. That's fine, and
23 when we didn't receive the hearing file 30 days after
24 the notice I assumed, and reread, and expect to
25 receive it on the 27th.

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1 If I may ask the staff counsel, in what
2 manner is this hearing file going to be -- is it going
3 to completely electronic, will it be a paper copy as
4 well as an electronic? What are your plans at this
5 point?

6 MS. MIZUNO: Your Honor, this is Beth
7 Mizuno.

8 We had originally -- we assumed that we
9 would be doing an electronic production, since this is
10 an electronic -- the papers are being filed
11 electronically in this proceeding.

12 But, if some other provision needs to be
13 made, we are amenable to considering it, Your Honor.

14 CHAIR FROELICH: Electronic is fine,
15 counsel. I only hope that as it is compiled that it
16 would be available to the parties and to the public,
17 you know, in one place, easily, you know, cross
18 indexed, or hyperlinked, so that parties can receive
19 and view all the important documents in this case from
20 one location.

21 Is that the intent, is that how you
22 contemplate compiling it?

23 MS. MIZUNO: Could you hold on just a
24 moment, Your Honor?

25 CHAIR FROELICH: Sure.

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1 MS. MIZUNO: We're back on.

2 CHAIR FROELICH: Thank you.

3 MR. HARRIS: Your Honor, this is Brian
4 Harris with the OGC staff.

5 The hearing file, we'll be creating an
6 index of all the documents, and all those documents
7 are going to be, you know, will be available from the
8 electronic docketing system. There will be a folder
9 that is available there that says where it can be
10 found, the documents will be able to be accessed by
11 all parties there.

12 CHAIR FROELICH: Okay, in one central
13 place, and it will just be a file added called hearing
14 file to, I guess, the public files, and accessible
15 through ADAMS as well?

16 MR. HARRIS: Right, it's in the -- it will
17 be in the electronic docketing system, but also
18 available through ADAMS, and it's just one folder
19 underneath the Prairie Island proceeding that will be
20 labeled hearing file, and will, actually, have all the
21 documents in it, plus the indexes.

22 CHAIR FROELICH: That's fine, thank you.

23 Is there anything else that we need to
24 discuss at this point concerning mandatory disclosures
25 or the compilation of the hearing file?

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1 Hearing none, let's move on then to the
2 issuance of the safety evaluation report and the
3 environmental impact statement, because these dates
4 are dates that will trigger subsequent procedural
5 dates and the timing of our ultimate evidentiary
6 hearing.

7 The Commission's website indicates that
8 the draft SEIS is scheduled for March 11, 2009. Is
9 this the date the staff is still projecting?

10 MS. MIZUNO: Your Honor, this is Beth
11 Mizuno.

12 That is not the date we are expecting any
13 longer. Our new projected date is June 11, '09.

14 If I may continue.

15 CHAIR FROELICH: Yes.

16 MS. MIZUNO: On the safety evaluation
17 report, the schedule currently gives an expected
18 issuance date of May 15, '09, and we are expecting
19 that that date is still a good date, Your Honor.

20 CHAIR FROELICH: For the SER, okay.

21 MS. MIZUNO: SER, yes.

22 CHAIR FROELICH: Okay, and so that will
23 shift the date for the comment period on the
24 supplemental environmental impact statement, and
25 probably also shift the date that you'll hold the

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1 public meeting regarding the draft SEIS?

2 MS. MIZUNO: I'm sorry, Your Honor, I
3 could not hear you.

4 CHAIR FROELICH: I'm sorry.

5 Moving the date for the availability of
6 the draft SEIS will also shift, I assume, the date for
7 the comment period and the public meeting on the draft
8 SEIS?

9 MS. MIZUNO: Yes, Your Honor, and those
10 dates have been shifted in exactly the same way that
11 they appear.

12 Now we are looking at comments on the
13 draft SEIS, that's the draft S-E-I-S, to come in on
14 June 19, '09, and the end of the draft SEIS comment
15 period would then be September 4, '09.

16 And, the public meeting on the draft SEIS
17 would be July 15, '09.

18 CHAIR FROELICH: Okay. Under the
19 Commission's milestones in Appendix B to Part II,
20 Subpart L of the regulations, certain events are
21 triggered from the final SEIS, and I guess for our
22 purposes within 30 days of the issuance of the SER,
23 and any necessary NEPA documents, there were many
24 contentions, as well as motions for summary
25 disposition on previously amended contentions would be

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1 due.

2 Is that the understanding of the parties?

3 MR. LEWIS: Judge Froelich, this is David
4 Lewis.

5 One of the items that we discussed among
6 the parties on Monday was a proposal that summary
7 dispositions, motions, would be due 30 days after the
8 latter of the initial SER or draft EIS, whichever is
9 published later. So, under the new schedule what we
10 would propose is if the latter document is the draft
11 EIS on June 11th, then summary disposition motions
12 would be due on July 11, 2009, and this is just being
13 an attempt to try and have those summary disposition
14 motions before the Board earlier so the hearing can
15 start more promptly after -- later after the final
16 documents.

17 CHAIR FROELICH: Okay.

18 MR. MAHOWALD: Your Honor, this is Phil
19 Mahowald.

20 That is consistent. I just want to note
21 that July 11th would fall on a Saturday.

22 CHAIR FROELICH: July 11th is a Saturday.

23 Perhaps it would help, now, Mr. Lewis,
24 could I call upon you to, perhaps, summarize in a
25 pleading, in a document, in a filing with the board,

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1 the agreements that were reached among the parties
2 concerning the motions for summary disposition and
3 newer amended contentions?

4 MR. LEWIS: We did not reach an agreement
5 on new amended contentions, just on the deadline for
6 summary dispositions. But, yes, I can do that.

7 CHAIR FROELICH: I think that would be
8 helpful to us in issuing our final order at the
9 conclusion of the conference call that has all the
10 dates and all the agreements of the parties, and that
11 way I think there's less chance that there will be any
12 confusion among the board.

13 MR. LEWIS: Just to clarify, Judge
14 Froelich, I don't think we even discussed newer
15 amended contentions, so maybe that was our oversight.

16 CHAIR FROELICH: No, if there haven't been
17 -- do any of the parties have any thoughts on the
18 newer amended contentions, and setting a deadline for
19 them, based on events in the milestones?

20 MR. MAHOWALD: Your Honor, this is Phil
21 Mahowald.

22 CHAIR FROELICH: Yes, sir.

23 MR. MAHOWALD: I would suggest maybe,
24 perhaps, keeping them linked to the motions for
25 summary disposition, as they are in the model

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1 milestones. And, if we are going to have the motions
2 for summary disposition 30 days after the draft SEIS
3 that we keep the same schedule and have proposed late
4 filed contentions also 30 days after that date.

5 MR. LEWIS: Judge Froelich, this is David
6 Lewis.

7 I would -- there will be two dates, there
8 will be the date when the draft EIS comes out, and the
9 date when the initial SER comes out. I don't have an
10 objection to the 30 days, but I would suggest new
11 contentions, based on new analyses or conclusions of
12 those documents, that any such motions for new
13 contentions should be filed 30 days after the document
14 that provides the new analysis or conclusion.

15 CHAIR FROELICH: Is that the same as you
16 were say, Mr. Mahowald?

17 MR. MAHOWALD: I'm guessing that it's
18 slightly different, because if I understand Mr. Lewis
19 correctly, then if the SER is filed on May 15th then
20 any proposed late filed contentions would be due then
21 on June 15th.

22 MR. MAHOWALD: That's correct, that would
23 be my proposal, and I would think that that would
24 allow the parties to get a jump if there are
25 additional contentions, and save us 30 days on the

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1 schedule on those.

2 CHAIR FROELICH: And, Mr. Mahowald, do you
3 have any objection to that interpretation of 30 days
4 from the SER, or 30 days from any NEPA document?

5 MR. MAHOWALD: I guess that would be
6 consistent with the model milestones, Your Honor, so
7 I do think we can agree to that.

8 CHAIR FROELICH: Okay. All right. Is
9 there anything else on the issuance of the SER or the
10 EIS?

11 In this case, since we are likely to have
12 electronic filings made in response to the draft
13 supplemental environmental impact statement, I would
14 expect the contentions relating to issues that are
15 raised, new issues that are raised in the SEIS, that
16 those would come in within 30 days as the draft SEIS.
17 That filing comments, you know, to the SEIS wouldn't
18 take the place of the contention practice that's
19 necessary in our case.

20 Is that your understanding as well, Mr.
21 Mahowald?

22 MR. MAHOWALD: Yes, sir.

23 CHAIR FROELICH: Okay. In that regard, I
24 think it would probably also be a good idea for us to
25 combine the motion for leave to file new and amended

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1 contentions with the filing of those contentions.

2 Has that been a problem for any of the
3 parties?

4 MS. MIZUNO: No, Your Honor, Beth Mizuno.

5 CHAIR FROELICH: Thank you.

6 MR. LEWIS: No, Judge Froelich, and I
7 think that is the good practice, because having the
8 contentions is really important, and being able to
9 respond to whether they should be admitted, so, yes,
10 one date is preferable.

11 CHAIR FROELICH: Okay. So, in our
12 scheduling order we'll include something to that
13 effect, and that's how we'll proceed with this case.

14 Are there any current plans for motions
15 for summary disposition, and, if so, when would they
16 be filed?

17 MR. LEWIS: We discussed this a little bit
18 on Monday, just to get ahead of motions of motions for
19 summary disposition there may be, and I alerted the
20 other parties, motions to dismiss certain contentions
21 omission as moot.

22 CHAIR FROELICH: Right.

23 MR. LEWIS: And, those could be much
24 earlier than the July time frame we were talking
25 about, potentially, even starting within the next

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1 month.

2 What the parties agreed to, though, is
3 that if we do -- if the applicant addresses any of the
4 contentions omission and a way to moot them that we
5 consult with the other parties ahead of time and see
6 if we could agree amicably to resolve the contention
7 before we file the motion to dismiss them, so we would
8 try that first.

9 But, yes, there may be a number of motions
10 dismissed as moot over the next couple of months, and
11 then there probably are a couple of contentions that
12 we can't resolve in that way, because they are not
13 pure contentions omissions, if the applicant's
14 intention is to use summary disposition to resolve any
15 contentions that couldn't be settled or dismissed as
16 moot.

17 CHAIR FROELICH: Okay, and we would
18 propose that there would be answers to those motions
19 in ten days? Is that the understanding? And,
20 consistent with 2.323?

21 MR. LEWIS: That would be my proposal,
22 Judge Froelich.

23 MR. LEWIS: Okay, Mr. Mahowald, the
24 answers to those motions to dismiss would be due in
25 ten days, is that clear to you as well?

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1 MR. MAHOWALD: Yes, Your Honor.

2 CHAIR FROELICH: Thank you.

3 As the parties, I'm sure, are aware,
4 settlement is favored by this Commission, and have
5 provided for it in our regulations.

6 Could the parties report, please, if there
7 have been, or if there are any ongoing efforts to
8 settle all or part of this proceeding?

9 MR. LEWIS: Judge Froelich, this is David
10 Lewis. I'll try it again. There were settlement
11 discussions prior to the board's ruling and many
12 contentions, and those discussions sort of were put on
13 hold while -- over the holidays and while we were
14 getting disclosure agreements put in place.

15 But, I have discussed with Mr. Mahowald
16 the desire to renew those discussions, and I
17 understand that the Indian Community is also
18 interested, and, therefore, we propose to do so.

19 The primary focus is on contention one,
20 the archeological resources contention, but our
21 discussion was to see if, perhaps, we could expand
22 that, and we also discussed, actually, in the
23 conference call with all the parties on Monday, the
24 possibility and potential desirability of having a
25 settlement judge appointed just to help us with some

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1 schedule discipline and moving along.

2 CHAIR FROELICH: Thank you, Mr. Lewis.
3 That was actually the next point I wanted to offer,
4 the services of the settlement judge through the
5 ASLBP, or ask the parties to consider either a
6 settlement judge or some other form of ADR to help
7 narrow the issues or, perhaps, resolve some of the
8 things that we would otherwise be faced with in
9 hearing.

10 So, I would encourage the parties to
11 continue the dialogue and not to be hesitant to
12 request a settlement judge, if you think that would be
13 helpful.

14 MR. LEWIS: Judge Froelich, does that
15 request need to be in writing? I mean, it would be my
16 request to have a settlement judge appointed.

17 CHAIR FROELICH: I would suggest that it
18 be done in writing, as a request for a settlement
19 judge, after conferring with the other parties to the
20 case, and, hopefully, having their agreement to it. It
21 would be forwarded to the Chief Administrative Judge,
22 who would appoint a settlement judge, who would,
23 hopefully, help you, you know, work through and put
24 some procedural discipline to the discussions.

25 A joint motion would be the way to

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1 proceed.

2 MR. LEWIS: Thank you.

3 CHAIR FROELICH: Thank you.

4 Next on the list of items that we had in
5 the notice of this conference was as to the hearing
6 venue. Would any of the parties like to express their
7 view on the venue for the evidentiary hearing, keeping
8 in mind that we had our oral argument at the Dakota
9 County Judicial Center in Hastings, has there been any
10 discussion or thought to where the hearing should be
11 held, if we have one, by the parties?

12 MR. LEWIS: We did discuss that again this
13 week, and we all agreed, of course, that it should be
14 in the vicinity of the plant, and I think the
15 consensus was that that was a pretty nice facility we
16 were at, if that was available. I think all the
17 parties indicated that they liked that venue.

18 CHAIR FROELICH: Thank you, Mr. Lewis.
19 With that statement in the record, I'll have our
20 administrative staff get back in contact with the
21 Judicial Center and keep the lines of communication
22 open, so that if we do go forward to hearing we can
23 hold it in the Judicial Center in Hastings.

24 DR. ARNOLD: This is Judge Arnold. In
25 honor of ruling on the petition to intervene of

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1 December 5th last year, we admitted a total of seven
2 contentions, and of those six were admitted in a more
3 focused form than their original formulation. That
4 is, the original contentions we found to be overly
5 broad and the entire contentions did meet
6 admissibility standards, but within each of these six
7 there was a narrower issue which did meet
8 admissibility standards.

9 I just want to make sure that if we end of
10 in hearing the record doesn't become bulked up on
11 evidence of contentions as they were originally
12 formulated, rather than in the focused form with a
13 bunch of irrelevant material.

14 And, I wanted to ask if there were any
15 questions on how we reduced the scope of some of the
16 contentions.

17 MR. LEWIS: Judge Froelich, this is David
18 Lewis.

19 I don't have any questions. One of the
20 benefits of the summary disposition process is that it
21 allows, prior to the hearing, parties again to focus
22 on the contentions, and the board to make sure that we
23 are looking at the right focus, and if appropriate, in
24 fact, further narrow it, or further define it, to
25 whatever issues actually really were made

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1 controversially after the board looks at the summary
2 disposition motions and any declarations and
3 affidavits.

4 So, I think that will also provide an
5 opportunity and a powerful tool to make sure we have
6 the right, proper focus.

7 CHAIR FROELICH: Thank you.

8 I think what Judge Arnold was saying is
9 that, you know, we are in the process now of narrowing
10 down and, you know, reducing, hopefully, the number of
11 issues that, ultimately, have to go to hearing, and as
12 part of that we are working from the contentions, you
13 know, as they were admitted by the board.

14 Are there any other matters which any of
15 the parties wish to raise that may impact the
16 scheduling or the scheduling order to be issued?

17 MR. MAHOWALD: No, Your Honor.

18 MR. LEWIS: No, Your Honor.

19 CHAIR FROELICH: Well, I would propose
20 that we would hold a subsequent scheduling conference
21 telephonically in, perhaps, three or four months, or
22 as we go a little further along on the procedural
23 schedule, as it is amended, or has been amended, and
24 the issuance of the SER and the SEIS.

25 The board will issue a scheduling order in

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1 the next week to ten days, and I think we'll speak
2 together again in about three or four months.

3 In the meantime, parties should file any
4 motions they have with the board, hopefully, pursue
5 settlement to the extent possible, and I don't know,
6 Judge Arnold, do you have anything else?

7 DR. ARNOLD: Nothing else.

8 CHAIR FROELICH: Judge Hirons, do you have
9 anything?

10 DR. HIRONS: No, I don't have anything
11 else.

12 CHAIR FROELICH: Okay. Do the parties
13 have anything else they wish to raise at this time?

14 MR. LEWIS: No, Your Honor.

15 MR. MAHOWALD: No, Your Honor.

16 CHAIR FROELICH: Hearing none, we'll stand
17 adjourned, and I thank you all.

18 MR. LEWIS: Thank you.

19 MS. MIZUNO: Thank you.

20 (Whereupon, the above-entitled matter was
21 concluded at 10:33 a.m.)
22
23
24
25

