

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DETROIT EDISON COMPANY

Docket No. 52-033-COL

ASLBP No. 09-880-05-COL-BD01

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and the Commission's regulations, see 10 C.F.R. §§ 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

Detroit Edison Company
(Fermi Nuclear Power Plant, Unit 3)

This proceeding concerns a Petition to Intervene and Request for Hearing dated March 9, 2009 from Beyond Nuclear, et al., that was submitted in response to a January 8, 2009 Notice of Hearing and Opportunity to Petition for Leave to Intervene on a Combined License for the Fermi Nuclear Power Plant, Unit 3 (74 Fed. Reg. 836). The petitioners challenge the application filed by Detroit Edison Company pursuant to Subpart C of 10 C.F.R. Part 52 for a combined license for Fermi Nuclear Power Plant, Unit 3, which would be located in Monroe County, Michigan.

The Board is comprised of the following administrative judges:

Ronald M. Spritzer, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Michael F. Kennedy
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Randall J. Charbeneau
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing rule, which the NRC promulgated in August 2007 (72 Fed. Reg. 49,139).

/RA/

E. Roy Hawken
Chief Administrative Judge
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,
this 19th day of March 2009.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
DETROIT EDISON COMPANY)	Docket No. 52-033-COL
)	
(Fermi Nuclear Power Plant, Unit 3))	
)	
(Combined License))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD have been served upon the following persons by Electronic Information Exchange.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop O-16C1
Washington, DC 20555-0001
Hearing Docket
E-mail: hearingdocket@nrc.gov

Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Detroit Edison Company
One Energy Plaza, 688 WCB
Detroit, Michigan 48226
Bruce R. Matters, Assistant General Counsel
E-mail:
matersb@dteenergy.com

Ronald M. Spritzer, Chair
Administrative Judge
E-mail: rms4@nrc.gov

Michael F. Kennedy
Administrative Judge
E-mail: mfk2@nrc.gov

Randall J. Charbeneau
Administrative Judge
E-mail: Randall.Charbeneau@nrc.gov

Johanna Thibault, Law Clerk
E-mail: jrt3@nrc.gov

Docket No. 52-033-COL
ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Winston & Strawn, LLP
1700 K Street, NW
Washington, DC 20006-3817
Counsel for the Applicant
David Repka, Esq.
Rachel Miras-Wilson, Esq.
Tyson R. Smith, Esq.
Emily J. Duncan, Esq.
Carlos L. Sisco, Senior Paralegal

E-mail:
drepka@winston.com
trsmith@winston.com
rwilson@winston.com
EJduncan@winston.com
CSisco@winston.com

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-15D21
Washington, DC 20555-0001
Kathryn L. Winsberg Esq.
Marcia Carpentier, Esq.
Marcia Simon, Esq.
Sara Brock Kirkwood, Esq.
E-mail:
kathryn.winsberg@nrc.gov
marcia.carpentier@nrc.gov
mjs5@nrc.gov
seb2@nrc.gov

OGC Mail Center : OGCMailCenter@nrc.gov

Pillsbury Winthrop Shaw Pittman, LLP
2300 N Street, NW
Washington, DC 20037-1122
Counsel for Progress Energy
Robert Haemer, Esq.
E-mail: robert.haemer@pillsburylaw.com

Beyond Nuclear
Reactor Oversight Project
6930 Carroll Avenue Suite 400
Takoma Park, MD 20912
Paul Gunter, Director
E-mail: paul@beyondnuclear.org

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 19th day of March 2009