

March 24, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
NORTHERN STATES POWER COMPANY)	Docket Nos. 50-282-LR/ 50-306-LR
)	
(Prairie Island Nuclear Generating Plant,)	
Units 1 and 2))	

NRC STAFF'S RESPONSE TO
NORTHERN STATES POWER COMPANY'S
MOTION TO DISMISS PIIC CONTENTION 1 AS MOOT

The Staff of the U.S. Nuclear Regulatory Commission ("Staff") hereby confirms that, in accordance with the requirements of 10 C.F.R. § 2.323(b), counsel for Northern States Power Company ("NSPM") consulted with counsel for the Staff regarding NSPM's Motion to Dismiss Prairie Island Indian Community's Contention 1 as Moot. Counsel for the Staff informed NSPM's counsel that the Staff did not oppose NSPM's filing of the motion, but hesitated to take a position on the motion without first having had a chance to further review the assertion that NSPM's March 4, 2009 amendment to its application had mooted the contention. Having now had an opportunity to review NSPM's motion, the Staff hereby informs the Atomic Safety and

Licensing Board that the Staff does not object to the Northern States Power Company's Motion to Dismiss PIIC Contention 1 as Moot.

Respectfully submitted,

/Signed (electronically) by/

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Dated at Rockville, Maryland
this 24th day of March 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NUCLEAR MANAGEMENT COMPANY, LLC) Docket Nos. 50-282-LR/ 50-306-LR
)
(Prairie Island Nuclear Generating Plant) ASLBP No. 08-871-01-LR-BDOI
Units 1 and 2)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "NRC STAFF'S RESPONSE TO NORTHERN STATES POWER COMPANY'S MOTION TO DISMISS PIIC CONTENTION 1 AS MOOT," dated March 24, 2009, have been served upon the following by the Electronic Information Exchange, this 24th day of March, 2009:

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