

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Ronald M. Spritzer, Chairman  
Michael F. Kennedy  
Randall J. Charbeneau

In the Matter of

DETROIT EDISON COMPANY

(Fermi Nuclear Power Plant, Unit 3)

Docket No. 52-033-COL

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

May 21, 2009

MEMORANDUM

(Notice pursuant to 10 C.F.R. § 2.309(i))

The Board's decision granting or denying the Petition to Intervene and Request for a Hearing is presently due on or before Tuesday, May 26, 2009. The Board hereby provides notice pursuant to 10 C.F.R. § 2.309(i) that it anticipates issuing its decision on or before June 30, 2009. This extension of the date for the Board's ruling is necessary because of various factors, including other duties of Board members and the number of issues presented by the Petition.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

/RA/

Ronald M. Spritzer, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
May 21, 2009

\* Copies of this memorandum were sent this date by the agency's E-Filing system to the counsel/representatives for (1) Applicant Detroit Edison Company; (2) Petitioners Beyond Nuclear et al.; and (3) NRC Staff.

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 )  
(Combined License) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM (NOTICE PURSUANT TO 10 C.F.R § 2.309(i) have been served upon the following persons by Electronic Information Exchange.

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Docket No. 52-033-COL  
LB MEMORANDUM (NOTICE PURSUANT TO 10 C.F.R § 2.309(i))

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[Original signed by Evangeline S. Ngbea]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 21<sup>st</sup> day of May 2009