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August 20, 2009

Ann Marshall Young, Chair
Dr. Gary S. Arnold
Dr. Alice C. Mignerey
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Docket: Luminant Generation Company LLC (Comanche Peak Nuclear Power Plant,
Units 3 and 4), Docket Nos. 52-034 and 52-035

RE: Joint Proposal for Hearing Schedule

Dear Licensing Board Members:

In accordance with the Board's Memorandum and Order of August 6, 2009 (LBP-09-17), the Applicant, Intervenors, and NRC staff have conferred and have agreed to a joint proposal for a hearing schedule. The proposed schedule is attached for consideration by the Board.

The proposed schedule is keyed to the dates of issuance of the draft environmental impact statement (EIS) and final EIS (i.e., events are scheduled based upon duration from the time of issuance of the EIS, rather than assigned specific dates). This approach would allow the hearing schedule to remain unchanged, if the NRC staff were to change the current schedule for issuance of either the draft or final EIS. Counsel for the NRC staff has stated that no such change is currently expected.

The proposed schedule is based upon the admission of Contentions 13 and 18, which are both environmental contentions. If a safety contention were to be admitted, a separate schedule would need to be developed for hearings on such contentions.

Respectfully submitted,

Signed (electronically) by

/s/ Steven P. Frantz

Steven P. Frantz
Counsel for Luminant

cc: Service List

**JOINT PROPOSAL FOR HEARING SCHEDULE
FOR COMANCHE PEAK COL PROCEEDING**

<u>Event</u>	<u>Schedule</u>	
	<u>New Contentions on FEIS</u>	<u>No New Contentions on FEIS</u>
Initial mandatory discovery disclosures	Sept. 15, 2009	Sept. 15, 2009
NRC staff issues Draft Environmental Impact Statement (EIS)	D = 0	D = 0
Last date for Intervenor to file motions to admit new or amended contentions on Draft EIS in accordance with §2.309(f)(2)	D+30 days	D+30 days
NRC staff issues Final EIS (FEIS)	F=0	F=0
Last date for Intervenor to file new or amended contentions on FEIS in accordance with § 2.309(f)(2)	F+30 days	F+30 days
ASLB decision on new or amended contentions	F+80 days ¹	N/A
Parties complete document disclosures on any new or amended contentions	14 days after ASLB decision	N/A
Last day for parties to file any motions for summary disposition on new or amended contentions	F+115 days	N/A
Parties file initial statement of positions and pre-filed written testimony and hearing exhibits	F+155 days	F+65 days
Last day for parties to file any <i>in limine</i> motions	F+165 days	F+75 days
Hearings commence	F+190 days	F+100 days

¹ This is an approximate date.

Hearings end	F+194 days	F+104 days
Parties submit proposed findings of fact and conclusions of law	F+224 days	F+134 days
ASLB issues initial decision on environmental issues	F+284 days	F+194 days

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
LUMINANT GENERATION COMPANY LLC)	Docket Nos. 52-034-COL 52-035-COL
(Comanche Peak Nuclear Power Plant Units 3 and 4))	August 20, 2009

CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2009 a copy of “Joint Proposal for Hearing Schedule” was filed electronically with the Electronic Information Exchange on the following recipients:

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