

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

Ann Marshall Young, Chair  
Dr. Gary S Arnold  
Dr. Alice C. Mignerey

In the Matter of

LUMINANT GENERATION COMPANY, LLC  
(Comanche Peak Nuclear Power Plant,  
Units 3 and 4)

Docket Nos. 52-034-COL and 52-035-COL

ASLBP No. 09-886-09-COL-BD01

September 10, 2009

ORDER  
(Scheduling Initial Scheduling Conference)

This is to notify Luminant Generation Company, LLC, the NRC Staff, and Intervenors Sustainable Energy and Economic Development Coalition, Nita O'Neal, Public Citizen, Don Young, True Cost of Nukes, J. Nile Fisher, and Representative Lon Burnam that, in accordance with 10 C.F.R. §§ 2.329 and 2.332, the Board will hold an initial scheduling conference call on September 16, 2009, at 3:00 p.m. EDT for the purpose of developing a scheduling order to govern the conduct of this proceeding.

Prior to the conference call, the parties should familiarize themselves with the relevant procedural rules of 10 C.F.R. Part 2, including provisions related to motions, the filing of new and untimely contentions, and pertinent time limits, as well as the Model Milestones set forth in Part 2, Appendix B. As indicated by the Model Milestones, the schedule for this proceeding will be tied to the NRC Staff's projected completion dates for its draft and final safety and environmental evaluations. Therefore, we ask that the NRC Staff be prepared on September 16 to provide an estimate of its projected schedule for completion of these documents. Finally, the

Board acknowledges receipt of the parties' Joint Proposal for Hearing Schedule, filed on August 20, 2009,<sup>1</sup> and will take this proposal into consideration when developing the hearing schedule.

Counsel for the parties should expect an email early next week containing the phone number and pass code needed to access the conference call.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Ann Marshall Young, Chair  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
September 10, 2009<sup>2</sup>

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<sup>1</sup> Letter from Steven P. Frantz, Counsel for Luminant, to the Atomic Safety and Licensing Board (Aug. 20, 2009).

<sup>2</sup> Copies of this Order were filed this date with the agency's E-filing system for service to all parties.

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(Comanche Peak Nuclear Power Plant, )  
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER (SCHEDULING INITIAL SCHEDULING CONFERENCE) have been served upon the following persons by Electronic Information Exchange.

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Docket Nos. 52-034-COL and 52-035-COL  
ORDER (SCHEDULING INITIAL SCHEDULING CONFERENCE)

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[Original signed by Nancy Greathead]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 10<sup>th</sup> day of September 2009