

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

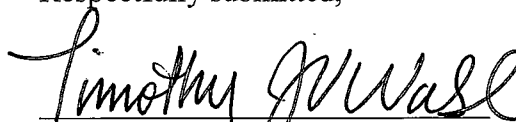
Before the Atomic Safety and Licensing Board

In the Matter of	)	Docket No. 63-001-HLW
	)	
U.S. DEPARTMENT OF ENERGY	)	ASLBP No. 09-892-HLW-CAB-04
	)	
(High-Level Waste Repository)	)	February 5, 2010

**THE NUCLEAR ENERGY INSTITUTE'S WITNESS IDENTIFICATION UPDATE**

Among other things, the September 30, 2009 CAB Case Management Order #2 ("Order") requires that each party identify the witnesses it intends to call at a hearing to provide testimony in support or defense of each Phase I contention ("Party Witnesses"). Order at 5. The Order further requires that each party update its witness disclosures every 60 days after its initial disclosure. Id. Pursuant to these requirements, the Nuclear Energy Institute ("NEI") submitted its initial witness identification on October 9, 2009, identifying four Party Witnesses,<sup>1</sup> and its first update on December 8, 2009.<sup>2</sup> At this time, NEI has identified no additional Party Witnesses. As required by the Order, NEI will provide a subsequent update in 60 days.

Respectfully submitted,



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Dated: February 5, 2010

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<sup>1</sup> The Nuclear Energy Institute's Identification of Witnesses (Oct. 9, 2009) at 1.

<sup>2</sup> The Nuclear Energy Institute's Witness Identification Update (Dec. 8, 2009).

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing "The Nuclear Energy Institute's Witness Identification Update" have been served upon the following persons on this 5th day of February, 2010 by Electronic Information Exchange.

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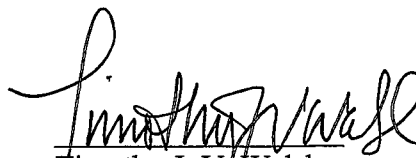


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