

February 22, 2010

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Commission

In the Matter of	)	
	)	Docket Nos. 50-282-LR
Northern States Power Co.	)	50-306-LR
	)	
(Prairie Island Nuclear Generating Plant,	)	ASLBP No. 08-871-01-LR
Units 1 and 2)	)	

**NORTHERN STATES POWER COMPANY’S ANSWER
SUPPORTING NRC STAFF PETITION FOR INTERLOCUTORY REVIEW**

Pursuant to 10 C.F.R. § 2.341(b)(3), Northern States Power Company, a Minnesota corporation (“NSPM”) submits this answer supporting the NRC Staff’s Petition for Interlocutory Review of Atomic Safety and Licensing Board Decision Admitting Late Filed and Out of Scope Safety Culture Contention (Feb. 12, 2010). As discussed in Northern States Power Company’s Petition for Interlocutory Review of an Order Admitting a Safety Culture Contention (Feb. 12, 2010), which addresses the matters in 10 C.F.R. § 2.341(b)(2), NSPM agrees that the Board’s January 28, 2010 Order admitting a safety culture contention outside the scope of the proceeding warrants interlocutory review because it affects the structure of the proceeding in a pervasive and unusual manner. For the reasons discussed in the NRC Staff’s Petition, NSPM also agrees that the Board’s acceptance of the contention as timely was clearly erroneous¹ and that the admission of this contention affects the structure of the proceeding in a pervasive and unusual manner.

¹ See Northern States Power Company’s Petition for Interlocutory Review of an Order Admitting a Safety Culture Contention (Feb. 12, 2010) at 6-7, and 8 n.18.

Respectfully Submitted,

/Signed electronically by David R. Lewis/

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Dated: February 22, 2010

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CERTIFICATE OF SERVICE

I hereby certify that copies of “Northern States Power Company’s Answer Supporting NRC Staff Petition for Interlocutory Review” dated February 22, 2010, was provided to the Electronic Information Exchange for service on the individuals listed below, this 22nd day of February, 2010.

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