

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

June 23, 2010

ORDER

(Denying Motion to Amend Supplemental Petition for Admission
of Proffered Quality Assurance Contention No. 15)

On June 11, 2010, Intervenors filed their "Motion to Amend Supplemental Petition for Admission of Proffered Quality Assurance Contention No. 15" (Motion to Amend). On June 15, the Board issued its ruling admitting Contention 15 as clarified by the Board. The Motion to Amend is accordingly moot, and it is therefore denied. This ruling is without prejudice, however, to the Intervenors filing a motion to amend Contention 15 as admitted by the Board to include the new allegations described in the Motion to Amend.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Ronald M. Spritzer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 23, 2010*

* Copies of this notice and order were sent this date by the agency's E-Filing system to the counsel/representatives for (1) Applicant Detroit Edison Company; (2) Intervenors 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 ORDER (DENYING MOTION TO AMEND SUPPLEMENTAL PETITION FOR ADMISSION OF PROFFERED QUALITY ASSURANCE CONTENTION NO. 15) have been served upon the following persons by Electronic Information Exchange.

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 OF PROFFERED QUALITY ASSURANCE CONTENTION NO. 15)

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

Dated at Rockville, Maryland
 this 23rd day of June 2010