

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Alex S. Karlin, Chairman
Dr. Anthony J. Baratta
Dr. William M. Murphy

In the Matter of

PROGRESS ENERGY FLORIDA, INC.

(Combined License Application for Levy County
Nuclear Power Plant, Units 1 and 2)

Docket No. 52-029-COL, 52-030-COL

August 31, 2010

Response of Interveners to Progress Energy August 12, 2010 Motion for Summary Disposition
on Contention Seven as Moot

Contention 7 was filed in the original Petition to Intervene on Levy County Units 1 & 2 and was admitted (in part) by the ASLB in this case on July 8, 2009 and affirmed (in part) in appeal by the Commission. The ASLB was clear in its July 8, 2009 ruling that Contention 7 is a contention of omission.

The joint interveners find upon examination of the NRC's Draft Environmental impact statement that the issues now rest with sufficiency of analysis and not omission. We therefore find that we agree with the Motion filed by Progress Energy Florida on August 12, 2010.

Respectfully Submitted

/s/

Mary Olson
Southeast Regional Coordinator,
on behalf of the Co-Interveners

Asheville, North Carolina, August 31, 2010