

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

Before Administrative Judges:

Michael M. Gibson, Chairman  
Dr. Anthony J. Baratta  
Dr. Mark O. Barnett

In the Matter of

EXELON NUCLEAR TEXAS HOLDINGS, LLC

(Victoria County Station Site)

Docket No. 52-042

ASLBP No. 11-908-01-ESP-BD01

April 11, 2011

NOTICE

(Expected Date for Decision Regarding Petition)

Before the Board is the January 24, 2011 petition to intervene and contentions of Texans for a Sound Energy Policy (TSEP)<sup>1</sup> concerning the early site permit (ESP) application for approval of the Victoria County Station site in Victoria County, Texas.<sup>2</sup> Applicant, Exelon Nuclear Texas Holdings, LLC, and the NRC Staff submitted their answer briefs on February 15 and 18, 2011, respectively. TSEP filed its consolidated reply brief on March 2, 2011, after we granted its request for an extension, which was unopposed.<sup>3</sup> We held oral argument on the

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<sup>1</sup> Texans for a Sound Energy Policy's Petition to Intervene and Contentions (Jan. 24, 2011) [hereinafter Petition].

<sup>2</sup> Early Site Permit Application – Victoria County Station (rev. 0, Mar. 25, 2010), available at <http://www.nrc.gov/reactors/new-reactors/esp/victoria.html>; see also Exelon Nuclear Texas Holdings, LLC, Early Site Permit Application for the Victoria County Station Site, Notice of Hearing, Opportunity To Petition for Leave To Intervene, and Associated Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information and Safeguards Information for Contention Preparation, 75 Fed. Reg. 71,467 (Nov. 23, 2010).

<sup>3</sup> Licensing Board Order (Granting Motion to Consolidate Reply and Extend Reply Date) (Feb. 18, 2011) (unpublished); Texans for a Sound Energy Policy's Consolidated Reply to NRC Staff and Exelon Nuclear Texas Holdings, LLC's Answers (Mar. 2, 2011) [hereinafter Reply].



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EXELON NUCLEAR TEXAS HOLDINGS, LLC ) Docket No. 52-042-ESP  
(Victoria County Station) )  
)  
)  
)  
(Early Site Permit) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing NOTICE (EXPECTED DATE FOR DECISION REGARDING PETITION) have been served upon the following persons by Electronic Information Exchange.

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

Dated at Rockville, Maryland  
this 11<sup>th</sup> day of April 2011