April 15, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
	)	
NUCLEAR INNOVATION NORTH AMERICA LLC	)	Docket Nos. 52-012 & 52-013
	)	
	)	
(South Texas Project, Units 3 & 4)	)	

JOINT MOTION REGARDING NUMBERING OF EXHIBITS
ASSOCIATED WITH PRE-FILED EVIDENTIARY MATERIAL

The Nuclear Regulatory Commission Staff (NRC Staff), Nuclear Innovation North America LLC (NINA), the Sustainable Energy and Economic Development Coalition, the South Texas Association for Responsible Energy, and Public Citizen (collectively, Intervenors) hereby jointly request that the Atomic Safety and Licensing Board (Board) approve an agreed-upon order governing the numbering of exhibits associated with pre-filed evidentiary material. The proposed order is attached to this Joint Motion.

In the Board's "Initial Scheduling Order," issued on October 20, 2009, the Board provided that "written testimony shall be under oath or by an affidavit so that it is suitable for being received into evidence directly, in exhibit form, in accordance with 10 C.F.R. § 2.1207(b)(2)." Initial Scheduling Order at 15. The Board held a prehearing conference call with the parties on March 8, 2011, and established a schedule for the submission of filings related to the evidentiary hearing, confirmed in its "Memorandum and Order (Establishing Schedule for Evidentiary Hearing)" (Hearing Schedule Order) on March 11, 2011. According to this schedule, the parties' Initial Statements of Position, Testimony, Affidavits, and Exhibits are due by May 9, 2011. Hearing Schedule Order at 2.

To facilitate the exhibits being entered into evidence, the parties have agreed to, and propose that the Board adopt, the following uniform scheme for numbering exhibits. This system should be compatible with the use of the Digital Data Management System (DDMS), if the Board chooses to use it at the upcoming evidentiary hearing.[1] The parties would number their pre-filed exhibits in a format that consists of a three-character party designation, followed by a six-character zero-filled number. The three-character designation to be used by each of the parties is as follows: NINA – STP, NRC Staff – NRC, Intervenors – INT. Consequently, a typical numbering sequence for the NRC Staff's exhibits would be as follows:

NRC000001

NRC000002

* * * * *

NRC000100

In its Initial Scheduling Order, the Board provided that if a submission exceeds fifteen megabytes in size, then the pleading should be separated into multiple submissions, each less than fifteen megabytes. Initial Scheduling Order at 18. Therefore, if an exhibit needs to be segmented because of this limitation, each segment of the document should be given the same numerical designation along with a unique alpha designation for that segment (e.g., NRC00001A, NRC00001B, etc.).

Once an exhibit is pre-filed using this numbering protocol, if a party subsequently needs to amend, revise, or otherwise make a substitution for that pre-filed exhibit, the new pre-filed

[1] The parties have mirrored the numbering scheme adopted by the licensing board in *Northern States Power Co.* (Prairie Island Nuclear Generating Plant, Units 1 and 2), at *5 (LBP Aug. 17, 2010) (unpublished) (ML102290292), which was intended to expedite processing via the DDMS.

exhibit should be numbered with an "R" as the fourth character (e.g., NRCR00001), with any subsequent revision of that same exhibit given a sequential numerical designation in the fifth character slot (e.g., NRCR20001).

The parties respectfully request that the Board grant this Joint Motion and adopt the attached order.

Respectfully submitted,

/signed (electronically) by/
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Executed in Accord with 10 CFR § 2.304(d)
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Dated in Rockville, MD
this 15th day of April 2011

NRC STAFF
ATTACHMENT 1:
Proposed Board Order

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

Before Administrative Judges:

Michael M. Gibson, Chairman
Dr. Gary S. Arnold
Dr. Randall J. Charbeneau

In the Matter of NUCLEAR INNOVATION NORTH AMERICA LLC (South Texas Project Units 3 and 4)	Docket Nos. 52-12-COL and 52-13-COL ASLBP No. 09-885-08-COL-BD01 April __, 2011

MEMORANDUM AND ORDER
(Providing Administrative Direction on Pre-filed Evidentiary Material)

Upon consideration of the Joint Motion Regarding Numbering of Exhibits Associated with Pre-filed Evidentiary Material, filed on April 15, 2011, by the Nuclear Regulatory Commission Staff (NRC Staff), Nuclear Innovation North America LLC (NINA), the Sustainable Energy and Economic Development Coalition, the South Texas Association for Responsible Energy, and Public Citizen (collectively, Intervenors), we GRANT the motion.

The parties shall adhere to the following uniform scheme for numbering exhibits submitted with pre-filed testimony. The parties shall number their pre-filed exhibits in a format that consists of a three-character party designation, followed by a six-character zero-filled number. The three-character designation to be used by each of the parties is as follows: NINA – STP, NRC Staff – NRC, Intervenors – INT. Consequently, a typical numbering sequence for the NRC Staff's exhibits would be as follows:

NRC000001

NRC000002

* * * * *

NRC000100

In its Initial Scheduling Order (Oct. 20, 2009) (unpublished), the Board provided that if a submission exceeds fifteen (15) megabytes in size, then the pleading should be separated into multiple submissions, each less than fifteen (15) megabytes. Initial Scheduling Order at 18. Therefore, if an exhibit needs to be segmented because of this limitation, each segment of the document should be given the same numerical designation along with a unique alpha designation for that segment (e.g., NRC00001A, NRC00001B, etc.).

Once an exhibit is pre-filed using this numbering protocol, if a party subsequently needs to amend, revise, or otherwise make a substitution for that pre-filed exhibit, the new pre-filed exhibit should be numbered with an "R" as the fourth character (e.g., NRCR00001), with any subsequent revision of that same exhibit given a sequential numerical designation in the fifth character slot (e.g., NRCR20001).

It is so ORDERED.

THE ATOMIC SAFETY
AND LICENSING BOARD

_____
Michael M. Gibson, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
April __, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
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NUCLEAR INNOVATION NORTH AMERICA LLC	)	Docket Nos. 52-012 & 52-013
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(South Texas Project, Units 3 & 4)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the Joint Motion Regarding Numbering of Exhibits Associated with Pre-filed Evidentiary Material have been served upon the following persons by Electronic Information Exchange this 15th day of April 2011:

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