

May 13, 2011

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of)		
)	Docket Nos.	52-029-COL
Progress Energy Florida, Inc.)		52-030-COL
)		
(Combined License Application for)		
Levy County Nuclear Plant, Units 1 and 2))	ASLBP No.	09-879-04-COL

JOINT MOTION ON DISCLOSURE SCHEDULE

Pursuant to the Atomic Safety and Licensing Board's (the "Board") Initial Scheduling Order dated August 27, 2009,¹ applicant Progress Energy Florida, Inc. ("Progress"); Nuclear Information and Resource Service, the Ecology Party of Florida, and the Green Party of Florida (collectively, "Joint Intervenors"); and the NRC Staff (collectively, the "Parties") hereby submit this joint motion regarding updates to mandatory disclosures and the hearing file under 10 C.F.R. §§ 2.336(d) and 2.1203(c). The Parties request Board approval for bi-monthly disclosures and hearing file updates beginning in May 2011 until the Final Environmental Impact Statement ("FEIS") is issued.

The ISO "directs that the parties and the NRC Staff shall update their disclosures and the hearing file monthly, on the second Thursday in October and November of 2009, and thereafter on the third Thursday of every month beginning in January 2010." This order regarding disclosures was based on the Parties' Joint Motion Regarding Enumerated Matters in Initial Scheduling Conference Order at 3 (Aug. 14, 2009). The Parties now agree that in light of the paucity of new relevant documents being disclosed each month it would be in their mutual interest to update their disclosures and the hearing file on a bi-

¹ Progress Energy Florida, Inc. (Combined License Application for Levy County Nuclear Power Plant, Units 1 and 2), LBP-09-22, 71 NRC 640 (2009) ("ISO").

monthly basis beginning in May 2011 and continuing until the FEIS is issued.² The Parties would continue to make disclosures and update the hearing file on the Third Thursday of alternating months, covering all documents in their possession, custody, or control as of the last day of the preceding month. The Parties respectfully request that the Board approve this agreement.

CERTIFICATION

I certify that I have made a sincere effort to contact the other parties in this proceeding, to explain to them the factual and legal issues raised in this motion, and to resolve those issues, and I certify that my efforts to resolve the issues have resulted in this joint motion.

Respectfully Submitted,

/Signed electronically by Stefanie Nelson George/
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Counsel for Progress Energy Florida, Inc.

Dated: May 13, 2011

² In other words, Parties would make disclosures in May 2011, July 2011, September 2011, etc. until the FEIS is issued.

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)		
(Combined License Application for)		
Levy County Nuclear Plant, Units 1 and 2))	ASLBP No.	09-879-04-COL

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Joint Motion on Disclosure Schedule dated May 13, 2011, was provided to the Electronic Information Exchange for service to those individuals on the service list in this proceeding this 13th day of May 2011.

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