

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

_____)	
In the Matter of)	
SOUTHERN NUCLEAR OPERATING CO.)	Docket Nos.
(Vogtle Electric Generating Plant, Units 3 and 4))	52-025-COL & 52-026-COL
_____)	
In the Matter of)	
PPL BELL BEND, L.L.C.)	Docket No.
(Bell Bend Nuclear Power Plant))	52-039-COL
_____)	
In the Matter of)	
LUMINANT GENERATION COMPANY LLC)	Docket Nos.
(Comanche Peak Nuclear Power Plant Units 3 and 4))	52-034-COL & 52-035-COL
_____)	

ORDER

The Center for a Sustainable Coast, Georgia Women’s Action for New Directions (formerly known as Atlanta Women’s Action for New Directions), and Southern Alliance for Clean Energy recently filed a motion to reopen the record and admit a new contention in the *Vogtle* proceeding, captioned above.¹ Southern Nuclear Operating

¹ *Southern Nuclear Operating Co. (Vogtle Electric Generating Plant, Units 3 and 4): Motion to Reopen the Record and Admit Contention to Address the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-ichi Accident (Aug. 11, 2011); Contention Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report (Aug. 11, 2011).*

Company opposed the *Vogle* motion.² Gene Stilp similarly filed a motion to reopen the record and admit a new contention in the *Bell Bend* proceeding, captioned above.³ Intervenor in the *Comanche Peak* proceeding, also captioned above, similarly filed a motion to reopen the record and admit a new contention.⁴ Luminant Generation Company, LLC, (Luminant) opposed the *Comanche Peak* motion.⁵

Pursuant to my authority under 10 C.F.R. § 2.346(i), I refer these matters, and any additional associated pleadings that may be filed, to the Chief Administrative Judge

² *Southern Nuclear Operating Co.* (Vogle Electric Generating Plant, Units 3 and 4): *Southern Nuclear Operating Company's Answer in Opposition to Motions to Reopen the Record and Admit Contentions* (Aug. 22, 2011). This answer, filed simultaneously before the Commission and the Atomic Safety and Licensing Board that heard the terminated contested proceeding, also responds to a motion referred previously to the Chief Administrative Judge of the Panel, by Order dated Aug. 18, 2011.

³ See *PPL Bell Bend, L.L.C.* (Bell Bend Nuclear Power Plant): *Motion to Reopen the Record and Admit Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-ichi Accident* (Aug. 10, 2011); *Contention Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report* (Aug. 10, 2011); *Corrected Motion to Reopen the Record and Admit Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-ichi Accident* (Aug. 17, 2011). (The *Bell Bend* contention, unlike the *Bell Bend* motion and corrected motion, was filed before the no-longer extant Atomic Safety and Licensing Board; because the contested proceeding terminated, jurisdiction over this filing also lies with the Commission.)

⁴ See *Luminant Generation Co., LLC* (Comanche Peak Nuclear Power Plant Units 3 and 4): *Motion to Reopen the Record and Admit Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-ichi Accident* (Aug. 11, 2011); *Contention Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report* (Aug. 11, 2011).

⁵ See *Luminant Generation Co., LLC* (Comanche Peak Nuclear Power Plant Units 3 and 4): *Luminant Generation Company LLC's Answer in Opposition to Motion to Reopen the Record, Proposed Contention Regarding Fukushima Task Force Report, and Request to Suspend Proceeding* (Aug. 22, 2011).

of the Atomic Safety and Licensing Board Panel for appropriate action consistent with
10 C.F.R. §§ 2.309 and 2.326.

IT IS SO ORDERED.

For the Commission

[NRC Seal]

/RA/

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 30th day of August, 2011.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
LUMINANT GENERATION COMPANY, LLC) Docket Nos. 52-034-COL
) and 52-035-COL
)
)
(Comanche Peak Nuclear Power Plant,)
Units 3 and 4))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER REFERRING MOTIONS TO REOPEN IN THE CAPTIONED PROCEEDINGS TO THE ASLBP have been served upon the following persons by Electronic Information Exchange.

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Docket Nos. 52-034-COL and 52-035-COL
ORDER REFERRING MOTIONS TO REOPEN IN THE CAPTIONED
PROCEEDINGS TO THE ASLBP

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[Original signed by Nancy Greathead]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 30th day of August 2011