

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

SOUTH CAROLINA ELECTRIC & GAS CO.  
and SOUTH CAROLINA PUBLIC SERVICE  
AUTHORITY (ALSO REFERRED TO AS  
SANTEE COOPER)

(Virgil C. Summer Nuclear Station,  
Units 2 and 3)

Docket Nos. 52-027-COL and  
52-028-COL

**SCHEDULING ORDER**

On August 26, 2011, the Commission issued its notice that it would convene an evidentiary hearing at its Rockville, Maryland headquarters on October 12, 2011, pursuant to section 189(a) of the Atomic Energy Act, to receive testimony and exhibits in the uncontested portion of the captioned proceeding.<sup>1</sup> Today's Scheduling Order, issued pursuant to my authority under 10 C.F.R. § 2.346(a), (d), and (j), provides details covering matters such as the identification and swearing-in of witnesses, the process for admitting evidence, and the format of presentations.

*Identification of Witnesses.* To expedite the proceeding, all witnesses will be identified and sworn in at the beginning of the hearing. As a result, all witnesses should be present in the hearing room at that time. Witnesses should remain available for the entirety of the two-day hearing period.

---

<sup>1</sup> See Notice of Hearing: South Carolina Public Service Authority (also referred to as Santee Cooper); Combined Licenses for Virgil C. Summer Nuclear Station, Units 2 and 3, 76 Fed. Reg. 53,492 (Aug. 26, 2011).

*Presentation Slides.* Sets of presentation slides for each panel shall be served using the agency's E-filing system (see 10 C.F.R. § 2.304(g)), and also shall be transmitted via electronic mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov), no later than October 5, 2011.

*Format and Time Allocations.* The order of presentation panels and time allocations are reflected in the Scheduling Note for this proceeding, to be transmitted separately. Panelists should assume that the Commission is familiar with the content of their written testimony, including written responses to pre-hearing questions.

*Admission of Evidence.* Exhibits for this proceeding will be admitted in a streamlined process after the witnesses are identified and sworn, and before the panel presentations begin. To facilitate this process, no later than October 5, 2011, the Staff and the South Carolina Electric and Gas Company (the Applicant) each shall provide to the Secretary a table listing all of the exhibits they intend to propose for admission into evidence at the hearing. The table should be formatted as follows:

Exhibit Number	Panel Number/ Sponsoring Witness(es)	Document Description/Title <sup>2</sup>

---

<sup>2</sup> Parties should include an ADAMS accession number to the extent it is available for the document (or portion of the document) that will be proffered. For any exhibit having a confidential/sensitive status that would preclude public disclosure, the listing information should be set forth in **bold** type.

All exhibits should be pre-filed in accordance with the requirements of our E-Filing rules, at 10 C.F.R. § 2.304(g).<sup>3</sup> The Staff should include the combined license application and all associated supplements to the application in its list of exhibits. Only one copy of each item of documentary material should be offered as evidence in connection with this mandatory hearing, so the parties should coordinate as necessary. Panel presentation slide sets should be included and identified as exhibits, and will be admitted into the record of the proceeding.

In the case of exhibits that are testimony, the sponsoring witness (or witnesses) shall provide a written certification, as part of the filing submitting the exhibit table, containing the following information: that the identified testimony was prepared by the witness (or under the witness's direction); that the written testimony is true and correct to the best of the witness's information, knowledge, and belief; and that the witness adopts the identified testimony as his sworn testimony in the proceeding.<sup>4</sup>

Exhibits will be admitted at the hearing based on the exhibit tables and associated certifications, as applicable; the list of exhibits and any certifications will not be read aloud at the hearing. However, the Applicant and the Staff will be offered the opportunity at the oral hearing to provide corrections, amendments, and additions to testimony or exhibits, or to object to the admission of particular exhibits, during the process of admitting exhibits. The exhibit tables and certifications will become part of the record of the proceeding.

---

<sup>3</sup> Any pre-filed exhibit that contains confidential or sensitive information should be filed separately in the agency's E-Filing system using the "protective order" filing option and should include appropriate page markings.

<sup>4</sup> This certification may be notarized, or may be submitted in the form of an unsworn declaration consistent with 28 U.S.C. § 1746.

Exhibits should be labeled and numbered consecutively, formatted as “NRC000001,” “NRC000002,” or “SCE000001,” “SCE000002,” etc.<sup>5</sup> Exhibit numbers should be placed in the upper right hand corner of the first page of the exhibit. A separate cover sheet should be used for an exhibit only if there is no space on the first page of the exhibit into which the number can be legibly placed.<sup>6</sup>

*Post-hearing Responses to Follow-up Questions.* If, at the hearing, Commissioners ask any questions that cannot be fully answered at the hearing itself, or

---

<sup>5</sup> Other than witness lists, any documents pre-filed in advance of this Scheduling Order should be re-filed as exhibits. The Digital Data Management System (DDMS) will be used for the purpose of marking and displaying exhibits for the evidentiary record. Provided the exhibits are properly pre-filed using the agency’s E-Filing system, it should not be necessary for the parties to provide the Commission or counsel for the other party with any paper copies of their pre-filed evidentiary materials. Nonetheless, parties should have available at the hearing one properly marked paper copy of each pre-filed document for use in the event that there are any operational issues with the DDMS. In addition, if a party must submit any new testimony or exhibits at the hearing, or revise any pre-filed testimony or exhibits at the hearing, that party must provide at that time a properly marked electronic copy of any such documents, along with enough properly marked paper copies of any such documents for distribution to counsel for the other party, all Commission members (two copies each), and the Secretary of the Commission (three copies).

<sup>6</sup> If a party needs to provide a revised version of a previously pre-filed exhibit, the exhibit should be re-filed with a letter “R” in place of the first zero in the exhibit number (i.e., the fourth exhibit number character position), such that, for example, a revised version of Staff exhibit NRC000001 would be designated NRCR00001. If a second or subsequent revision is necessary, the exhibit should be re-filed with a sequential number in the place of the next zero in the exhibit number, e.g., NRCR20001. If a party finds that it needs to break a document into several segments to ensure it does not exceed the agency’s guidance on recommended file sizes for submissions (see NRC, Guidance for Electronic Submissions to the NRC, at 14-15 (Rev. 6 May 17, 2010) available at <<http://www.nrc.gov/site-help/e-submittals/guide-electronic-sub-r6.pdf>>) each of the segments should be labeled by placing an alpha designation next to the number of the exhibit (i.e., in the ninth exhibit number character position) in a way that will reflect the relationship of that part to the other parts of the document. For example, if a Staff exhibit that would otherwise have the number NRC000001 were submitted in three parts because of file size, each portion would have a different exhibit number in the following sequence: NRC00001A, NRC00001B, and NRC00001C.

expressly pose follow-up questions to be answered in writing, the Staff and the Applicant, as appropriate, may file supplemental responses to such questions no later than 14 days after the hearing concludes, unless the Commission at the hearing sets a different deadline for such responses.

*General Information.* The Office of the Secretary of the Commission will contact the parties regarding logistics related to the October 12 hearing.

IT IS SO ORDERED.

For the Commission

**[NRC SEAL]**

/RA/

---

Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland,  
this 28th day of September, 2011.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
SOUTH CAROLINA ELECTRIC )  
AND GAS COMPANY, ACTING FOR ITSELF )  
AND AS AGENT FOR THE SOUTH CAROLINA ) Docket Nos. 52-027-COL and 52-028-COL  
PUBLIC SERVICE AUTHORITY (ALSO )  
REFERRED TO AS SANTEE COOPER) )  
)  
(Virgil C. Summer Nuclear Station, Units 2 and 3) )  
)  
(Mandatory Hearing)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **SCHEDULING ORDER** have been served upon the following persons by Electronic Information Exchange.

Office of Commission Appellate  
Adjudication  
Mail Stop: O-16C1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
[ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the Secretary of the Commission  
Mail Stop O-16C1  
Washington, DC 20555-0001  
Hearing Docket  
[hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15D21  
Washington, DC 20555-0001  
Marian Zobler, Esq.  
Patrick Moulding, Esq.  
Sara Kirkwood, Esq.  
Jody Martin, Esq.  
Sarah Price, Esq.  
Kevin Roach, Esq.  
Karin Francis, Paralegal  
Joseph Gilman, Paralegal  
E-mail:  
[marian.zobler@nrc.gov](mailto:marian.zobler@nrc.gov)  
[patrick.moulding@nrc.gov](mailto:patrick.moulding@nrc.gov)  
[sara.kirkwood@nrc.gov](mailto:sara.kirkwood@nrc.gov)  
[jody.martin@nrc.gov](mailto:jody.martin@nrc.gov)  
[sara.price@nrc.gov](mailto:sara.price@nrc.gov)  
[kevin.roach@nrc.gov](mailto:kevin.roach@nrc.gov)  
[karin.francis@nrc.gov](mailto:karin.francis@nrc.gov)  
[joseph.gilman@nrc.gov](mailto:joseph.gilman@nrc.gov)

OGC Mail Center: [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov)

Virgil C. Summer, Docket Nos. 52-027 and 52-028-COL (Mandatory Hearing)

**SCHEDULING ORDER**

SCANA Corporation  
1426 Main Street  
Columbia, South Carolina 29201  
Alvis J. Bynum, Jr.  
Associate General Counsel for Major Projects  
[abynum@scana.com](mailto:abynum@scana.com)

Morgan, Lewis & Bockius, LLP  
Co-Counsel for Southern Nuclear Operating  
Company, Inc.  
1111 Pennsylvania Ave., NW  
Washington, DC 20004  
Kathryn M. Sutton, Esq.  
Lawrence J. Chandler, Esq.  
Stephen Burdick, Esq.  
Mary Freeze  
E-mail: [ksutton@morganlewis.com](mailto:ksutton@morganlewis.com)  
[lchandler@morganlewis.com](mailto:lchandler@morganlewis.com)  
[sburdick@morganlewis.com](mailto:sburdick@morganlewis.com)  
[mfreeze@morganlewis.com](mailto:mfreeze@morganlewis.com)

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

Dated at Rockville, Maryland  
this **28th** day of September 2011