

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

Before Administrative Judges:

E. Roy Hawkens, Chairman
Dr. Michael F. Kennedy
Dr. William C. Burnett

In the Matter of

FLORIDA POWER & LIGHT COMPANY

(Turkey Point Units 6 and 7)

Docket Nos. 52-040-COL
and 52-041-COL

ASLBP No. 10-903-02-COL-BD01

August 23, 2012

ORDER

(Denying Joint Intervenors' Motion for Leave to Respond and,
Alternatively, to Admit Newly Amended Contention 2.1)

On August 20, 2012, Mark Oncavage, Dan Kipnis, Southern Alliance for Clean Energy, and National Parks Conservation Association (hereinafter "Joint Intervenors") filed a motion¹ seeking leave to respond to the NRC Staff's answer² to Florida Power & Light Company's (FPL) motion for summary disposition of Amended Contention 2.1³ and, in the alternative, to admit a newly amended version of that contention. Joint Intervenors' motion is DENIED. The explanation for this denial will be provided in the Licensing Board's order resolving FPL's

¹ See Joint Intervenors' Request for Leave to Respond to NRC Staff's Answer to FPL's Motion for Summary Disposition and Alternatively, Joint Intervenors' Conditional Motion to Admit Second Amended Contention NEPA 2.1 (Aug. 20, 2012).

² See NRC Staff's Answer to Applicant's Motion for Summary Disposition of Amended Contention 2.1 (Aug. 8, 2012).

³ See [FPL's] Motion for Summary Disposition of Joint Intervenors' Amended Contention 2.1 (July 19, 2012).

pending motion for summary disposition of Amended Contention 2.1. We currently expect to issue that order in early September.

It is so ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

/RA/

E. Roy Hawkens, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 23, 2012

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
Florida Power & Light Company) Docket Nos. 52-040 and 52-041-COL
(Juno Beach, Florida))
)
(Turkey Point, Units 6 & 7))

CERTIFICATE OF SERVICE

I hereby certify that copies of the **ORDER (Denying Joint Intervenors' Motion for Leave to Respond and, Alternatively, to Admit Newly Amended Contention 2.1)** have been served upon the following persons by Electronic Information Exchange.

U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

E. Roy Hawkens
Administrative Judge, Chair
E-mail: roy.hawkens@nrc.gov

Dr. Michael F. Kennedy
Administrative Judge
E-mail: michael.kennedy@nrc.gov

Dr. William C. Burnett
Administrative Judge
E-mail: william.burnett2@nrc.gov

Matthew Flyntz, Law Clerk, ASLBP
E-mail: matthew.flyntz@nrc.gov

U.S. Nuclear Regulatory Commission
Office of Commission Appellate Adjudication
Mail Stop: O-7H4M
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop - O-15 D21
Washington, DC 20555-0001
Sara Kirkwood, Esq.
Sara Price, Esq.
Jeremy Wachutka, Esq.
Robert Weisman, Esq.
Michael Spencer, Esq.
Jessica Bielecki, Esq.
Emily Monteith, Esq.
Patrick Moulding, Esq.

E-mail:
sara.kirkwood@nrc.gov;
sara.price@nrc.gov ;
robert.weisman@nrc.gov
jeremy.wachutka@nrc.gov
michael.spencer@nrc.gov
jab2@nrc.gov
emily.monteith@nrc.gov
patrick.moulding@nrc.gov

OGC Mail Center: Members of this office have received a copy of this filing by EIE service.

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop: O-16C1
Washington, DC 20555-0001
E-mail: hearingdocket@nrc.gov

DOCKET NO. 52-040 and 52-041-COL

ORDER (Denying Joint Intervenors' Motion for Leave to Respond and, Alternatively, to Admit Newly Amended Contention 2.1)

Counsel for the Applicant
Pillsbury, Winthrop, Shaw, Pittman, LLP
2300 N Street, N.W.
Washington, DC 20037-1122
Alison M. Crane, Esq.
John H. O'Neill, Esq.
Matias F. Travieso-Diaz, Esq.
Kimberly Harshaw, Esq.
Maria Webb, Paralegal
E-mail: alison.crane@pillsburylaw.com
John.ONeill@pillsburylaw.com
matias.travieso-diaz@pillsburylaw.com
maria.webb@pillsburylaw.com
kimberly.harshaw@pillsbury.com

Counsel for Mark Oncavage, Dan Kipnis,
Southern Alliance for Clean Energy (SACE),
and National Parks Conservation Association
Turner Environmental Law Clinic
Emory University School of Law
1301 Clifton Rd. SE
Atlanta, GA 30322
Mindy Goldstein, Esq.
E-mail: magolds@emory.edu

Counsel for Mark Oncavage, Dan Kipnis,
Southern Alliance for Clean Energy (SACE),
and National Parks Conservation Association
Everglades Law Center, Inc.
3305 College Avenue
Ft. Lauderdale, Florida 33314
Richard Grosso, Esq.
E-Mail: richard@evergladeslaw.org

Erich Pica, President
Friends of the Earth
1100 15th Street, NW
11th Floor
Washington, D.C. 20555
E-mail: mkeever@foe.org

Florida Power & Light Company
700 Universe Blvd.
Juno Beach, Florida 33408
Mitchell S. Ross
Vice President & General Counsel – Nuclear
E-mail: mitch.ross@fpl.com
James Petro, Esq.
Senior Attorney
E-mail: james.petro@fpl.com
William Blair
Nextera Energy Resources
E-mail: william.blair@fpl.com

Florida Power & Light Company
801 Pennsylvania Ave. NW Suite 220
Washington, DC 20004
Steven C. Hamrick, Esq.
Mitchell S. Ross
E-mail: steven.hamrick@fpl.com;
Mitchell.ross@fpl.com

Counsel for the Village of Pinecrest
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, FL 32308
William C. Garner, Esq.
Gregory T. Stewart, Esq.
E-mail: bgarner@ngnlaw.com
E-mail: gstewart@ngnlaw.com

(CASE) Citizens Allied for Safe Energy, Inc.
10001 SW 129 Terrace
Miami, FL 33176
Barry J. White
E-mail: bwtamia@bellsouth.net

[Original signed by Christine M. Pierpoint]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 23rd day of August 2012