

December 3, 2012

Michael M. Gibson, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Gary S. Arnold  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Randall J. Charbeneau  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
Nuclear Innovation North America LLC  
(South Texas Project, Units 3 & 4)  
Docket Nos. 52-012 and 52-013

Dear Administrative Judges:

Pursuant to the Revised Scheduling Order of October 3, 2012, the NRC staff is reporting on its proposed schedule for issuing its safety and environmental documents and the projected dates for issuance of ACRS reports on the application. There has been no change since the last report, which was submitted on November 1, 2012. The final environmental impact statement was issued in February 2011, but there continues to be no schedule for the completion of the NRC staff's safety review.

Further, pursuant to the Order (Monthly Status Updates Regarding FOCD Review) of July 18, 2012, the NRC staff reports that, while it is proceeding with its review of foreign ownership, control, or domination (FOCD) issues, it currently does not have a best estimate projected decision date for its review. However, the NRC staff hopes to make enough progress on its FOCD review to issue a schedule early next year for resolving FOCD issues.

Respectfully submitted,

**/signed (electronically) by/**  
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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) )

CERTIFICATE OF SERVICE

I hereby certify that the NRC Staff letter dated December 3, 2012, reporting on the proposed schedule for completing the NRC staff's review and reaching a determination on FOCD issues, has been filed through the E-Filing system this 3rd day of December 2012.

**/signed (electronically) by/**  
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