

Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
Tel: 202-739-3000  
Fax: 202-739-3001  
www.morganlewis.com

**Morgan Lewis**  
C O U N S E L O R S   A T   L A W

**Stephen J. Burdick**  
202.739.5059  
sburdick@morganlewis.com

December 3, 2012

Robert V. Eye, Esq.  
Kauffman & Eye  
112 SW 6th Ave., Suite 202  
Topeka, KS 66603

Michael Spencer, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

RE: Thirty-Eighth Update to Disclosures Pursuant to 10 C.F.R. § 2.336; *Nuclear Innovation North America LLC* (South Texas Project Units 3 and 4), Docket Nos. 52-012 and 52-013

Pursuant to 10 C.F.R. § 2.336, the agreement among the parties dated September 10, 2009, and the Revised Scheduling Order dated October 3, 2012, Nuclear Innovation North America LLC (NINA) is providing the thirty-eighth update to its disclosures with respect to Intervenors' Contention FC-1, as admitted by the Board on September 30, 2011 (LBP-11-25). NINA performed a search for documents relevant to Contention FC-1, but did not identify any new documents. Additionally, NINA did not identify any other changes from its thirty-seventh update to disclosures dated November 1, 2012.

Sincerely,

*Signed (electronically) by Stephen J. Burdick*  
Stephen J. Burdick

*Counsel for Nuclear Innovation North America LLC*

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

_____ )	
In the Matter of )	Docket Nos. 52-012-COL
)	52-013-COL
NUCLEAR INNOVATION NORTH AMERICA LLC )	
)	
(South Texas Project Units 3 and 4) )	December 3, 2012
_____ )	

**CERTIFICATE OF SERVICE**

I hereby certify that on December 3, 2012 a copy of Nuclear Innovation North America LLC's "Thirty-Eighth Update to Disclosures Pursuant to 10 C.F.R. § 2.336" was served by the Electronic Information Exchange.

*Signed (electronically) by Stephen J. Burdick*  
Stephen J. Burdick  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
Phone: 202-739-3000  
Fax: 202-739-3001  
E-mail: sburdick@morganlewis.com

*Counsel for Nuclear Innovation North America LLC*