

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

October 1, 2013

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: Forty-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 forty-eighth update to its disclosures with respect to Intervenor's Contention FC-1, as admitted by the Board on September 30, 2011 (LBP-11-25).

NINA's disclosures consist of the following:

- Enclosure 1 provides the names, addresses, and telephone numbers of the persons upon whose opinion NINA bases its positions on the contention and upon whom NINA may rely upon as a witness, and a copy of the analyses and authorities upon which they base their opinions.
- Enclosure 2 provides a description, by category and location, of all relevant non-privileged documents, data compilations, and tangible things in the possession, custody, or control of NINA that are relevant to the admitted contention in this proceeding. If you determine that you would like a copy of any of these documents, please inform me of which documents you would like and I will provide a copy to you.
- Enclosure 3 provides an index of any documents, data compilations, or tangible things in the possession, custody, or control of NINA that may be relevant to the contention but contain

Mr. Robert V. Eye, et al.

October 1, 2013

Page 2

proprietary-related or otherwise protected information. Upon request by the NRC Staff, NINA will provide a copy using the procedure in 10 C.F.R. § 2.390. If the Intervenor desire a copy, NINA will provide any requested proprietary documents if they are covered by the existing Protective Order, or will work with the Intervenor to develop a mutually acceptable proposed amendment to the Protective Order for issuance by the Board.

- Enclosure 4 provides an index of relevant documents that are otherwise publicly available.

In order to compile Enclosures 2, 3, and 4, NINA made a reasonable good faith search of its records since the previous disclosures filed on September 3, 2013. The attached affidavit attests that all relevant materials identified by this search have been disclosed, and that the disclosures are accurate and complete as of September 15, 2013. Additions to the logs since the last disclosures are highlighted.

In the event that NINA identifies additional relevant documents or witnesses for any hearing on Contention FC-1, NINA will update these disclosures on the 1st day of each month (subject to 10 C.F.R. § 2.306(a)), as required by 10 C.F.R. § 2.336(d), the agreement among the parties dated September 10, 2009, and the Revised Scheduling Order dated October 3, 2012.

NINA has been conservative in identifying documents for inclusion in Enclosures 2, 3, and 4. By identifying documents on those Enclosures, NINA does not necessarily concede that the documents are in fact relevant or material to the admitted contention.

Sincerely,

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

Enclosures

cc: Service List

**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-COL
(South Texas Project Units 3 and 4))	52-013-COL
	October 1, 2013

AFFIDAVIT

1. My name is Scott Head. My title is Manager, Regulatory Affairs for South Texas Project, Units 3 & 4. Working with the attorneys for Nuclear Innovation North America LLC (NINA), I have been responsible for managing the searches, collection, and compilation of documents, data compilations, and tangible things to comply with the mandatory disclosure requirements in 10 C.F.R. § 2.336.
2. This Affidavit relates to the disclosures that NINA is providing on October 1, 2013 in the above-captioned proceeding pursuant to 10 C.F.R. § 2.336, the parties' joint agreement on mandatory disclosures, dated September 10, 2009, and the Revised Scheduling Order, dated October 3, 2012.
3. A reasonable good faith search was conducted of documents, data compilations, and tangible things in the possession, custody, or control of NINA for the types of information specified in 10 C.F.R. § 2.336(a). As provided in 10 C.F.R. § 2.336(c), this search was conducted based on information and documents reasonably available to NINA:
 - a. The searches encompassed both electronic and paper documents.

- b. The searches encompassed both South Texas Project (STP) Units 3 and 4 project-related files and documents in the possession and control of employees who have worked on the STP Units 3 and 4 project.
 - c. The searches also encompassed documents, data compilations, and tangible things in the possession and control of the vendors and contractors who have supported the NINA combined license application to the extent that NINA has rights to these documents, data compilations, and tangible things.
 - d. Searches did not encompass documents in the possession of individuals who did not work on the STP Units 3 and 4 project or files unrelated to the STP Units 3 and 4 project.
- 4. Enclosure 2 provides the index of relevant non-privileged, non-protected documents, data compilations, and tangible things that were located as a result of this search.
 - 5. Enclosure 3 provides the index of relevant documents, data compilations, and tangible things containing proprietary-related or otherwise protected information.
 - 6. Enclosure 4 provides the index of relevant documents, data compilations, and tangible things that are publicly available.
 - 7. NINA has been conservative in identifying documents for inclusion in Enclosures 2, 3, and 4. By identifying documents on those Enclosures, I do not necessarily concede that the documents are in fact relevant or material to the admitted contention.
 - 8. These disclosures are accurate and complete as of September 15, 2013.

The statements made above are true to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Accord with 10 C.F.R. § 2.304(d)

Scott M. Head

Manager, Regulatory Affairs

122 West Way, Suite 405

Lake Jackson, TX 77566

Phone: 979-316-3011

E-mail: smhead@stpegs.com

Executed this 1st day of October 2013

ENCLOSURE 1

NINA WITNESSES

The name and, if known, the address and telephone number of any person, including any expert, upon whose opinion the party bases its claims and contentions and may rely upon as a witness:

Response: Contention FC-1

NINA has identified the following witnesses for Contention FC-1:

Mark A. McBurnett
Chief Executive Officer and Chief Nuclear Officer
Nuclear Innovation North America LLC
122 West Way, Suite 405
Lake Jackson, TX 77566
Phone: 979-316-3010

Samuel J. Collins
48 Deer Run Lane
Swanton, MD 21561
Phone: 301-922-2861

Robert S. Wood
300 Gunboat Lane
Daniel Island, SC 29492
Phone: 843-278-0628

Jamey S. Seely
Senior Vice President, Alternative Energy
NRG Energy, Inc.
1050 N. Post Oak Rd.
Houston, TX 77055
Phone: 646-341-0967

NINA will update this disclosure if and when it identifies additional persons that it may rely upon as its witnesses.

A copy of the analysis or other authority upon which that person bases his or her opinion:

Response: Contention FC-1

Mr. McBurnett bases his opinion upon the July 1, 2013 “Direct Testimony of Applicant Witness Mark A. McBurnett Regarding Contention FC-1” and the July 22, 2013 “Rebuttal Testimony of Applicant Witness Mark A. McBurnett Regarding Contention FC-1.”

Mr. Collins and Mr. Wood base their opinions upon the July 1, 2013 “Direct Testimony of Applicant Witnesses Samuel J. Collins and Robert S. Wood Regarding Contention FC-1” and the July 22, 2013 “Rebuttal Testimony of Applicant Witnesses Samuel J. Collins and Robert S. Wood Regarding Contention FC-1.”

Ms. Seely bases her opinion upon the July 1, 2013 “Direct Testimony of Applicant Witness Jamey S. Seely Regarding Contention FC-1.”

NINA will update its mandatory disclosures if and when it has identified any additional analyses and authorities upon which its witnesses base their opinions.

ENCLOSURE 2

Mandatory Disclosure Log

DOC #	DATE	LOCATION*	AUTHOR OR CUSTODIAN	TO	SUBJECT/DESCRIPTION	CONTENTION
1 - 14	DELETED PER LBP-10-14 (DISMISSING CONTENTIONS 8, 9, 14, 16, AND 21)					
15	MOVED TO ENCLOSURE 4					
16 - 145	DELETED PER LBP-10-14 (DISMISSING CONTENTIONS 8, 9, 14, 16, AND 21)					
146	DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED					
147 - 172	DELETED PER LBP-10-14 (DISMISSING CONTENTIONS 8, 9, 14, 16, AND 21)					
173 - 175	DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED					
176	DELETED BECAUSE THE RECORD FOR CONTENTION DEIS-1-G HAS CLOSED					
177 - 197	DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED					
198	06/20/2011	Morgan, Lewis & Bockius	NRC	NINA	Request for Additional Information No. 5856 Rev. 3	FC-1
199	04/19/2011	Morgan, Lewis & Bockius	Ed Halpin	STPNOC	Corporate Communication: NRG Ends Participation in STP Units 3 & 4	FC-1
200	01/14/2011	Morgan, Lewis & Bockius	M. McBurnett	S. Head	E-mail re. Foreign Ownership	FC-1
201	10/05/2011	Morgan, Lewis & Bockius	M. McBurnett	B. Eller	E-mail re. Response to Bay City Tribune Article on Foreign Issues	FC-1
202	10/11/2011	Morgan, Lewis & Bockius	NINA	NRC Staff	NINA Presentation to NRC Staff	FC-1
203	12/15/2011	Morgan, Lewis & Bockius	NINA	N/A	Corporate Communication: Units 3&4 Update	FC-1
204	02/16/2012	Morgan, Lewis & Bockius	NINA	N/A	White Paper: Key Generic Licensing Issues for the Development of New U.S. Merchant Reactors	FC-1
205	02/15/2012	Morgan, Lewis & Bockius	NINA	N/A	Foreign Investment in U.S. Nuclear Reactors: Negotiation Action Plans to Facilitate Investment	FC-1
206	02/22/2012	Morgan, Lewis & Bockius	NINA	N/A	White Paper: Key Generic Licensing Issues for the Development of New U.S. Merchant Reactors	FC-1
207	02/22/2012	Morgan, Lewis & Bockius	NINA	N/A	White Paper (Redline): Key Generic Licensing Issues for the Development of New U.S. Merchant Reactors	FC-1
208	02/23/2012	Morgan, Lewis & Bockius	NINA	N/A	White Paper: Key Generic Licensing Issues for the Development of New U.S.	FC-1

*Morgan Lewis is located at 1111 Pennsylvania Avenue, NW, Washington, DC 20004.

DOC #	DATE	LOCATION*	AUTHOR OR CUSTODIAN	TO	SUBJECT/DESCRIPTION	CONTENTION
					Merchant Reactors	
209	03/15/2012	Morgan, Lewis & Bockius	S. Head and M. McBurnett	S. Head and M. McBurnett	E-mail re. Foreign Ownership Conversation with NRC Staff	FC-1
210	03/15/2012	Morgan, Lewis & Bockius	S. Head and M. McBurnett	S. Head and M. McBurnett	E-mail re. Foreign Ownership Conversation with NRC Staff	FC-1
211	07/16/2012	Morgan, Lewis & Bockius	M. McBurnett	T. Hulihan, U.S. Department of Energy	E-mail re. Foreign Ownership and Related NRC Staff Review	FC-1
212	06/21/2012	Morgan, Lewis & Bockius	NINA	N/A	STP Units 3 and 4 Advanced Boiling Water Reactor Corrective Action Program, Rev. 11	FC-1
213	02/26/2013	Morgan, Lewis & Bockius	NEI	N/A	NEI New Plant Working Group Presentation on NRC Financial Qualifications/Foreign Ownership, Control & Domination Issues	FC-1
214	05/01/2013	Morgan, Lewis & Bockius	D. Knox	M. McBurnett	E-mail re. World Nuclear News Article on NRC Staff FOCD Position	FC-1
215	05/02/2013	Morgan, Lewis & Bockius	B. Eller	M. McBurnett	E-mail re. Bay City Tribune Article on NRC Staff FOCD Position	FC-1
216	04/30/2013	Morgan, Lewis & Bockius	D. Knox	M. McBurnett	E-mail re. Dallas Morning News Article on NRC Staff FOCD Position	FC-1
217	04/29/2013	Morgan, Lewis & Bockius	M. McBurnett	D. Knox	E-mail re. Response to NRC Associated with Foreign Ownership	FC-1
218	05/01/2013	Morgan, Lewis & Bockius	H. Carr	D. Knox	Email re. Foreign Ownership Questions	FC-1
219	04/30/2013	Morgan, Lewis & Bockius	M. McBurnett	T. Hulihan	Email re. NRC Staff FOCD Position	FC-1
220	05/02/2013	Morgan, Lewis & Bockius	M. McBurnett	Y. Kanda	Email re. Platts Article on NRC Staff FOCD Position	FC-1
221	04/30/2013	Morgan, Lewis & Bockius	M. McBurnett	D. Koehl	Email re. NRC Staff FOCD Position	FC-1
222	05/02/2013	Morgan, Lewis & Bockius	M. McBurnett	W. Jump	Email re. NRC Staff FOCD Position	FC-1
223	05/02/2013	Morgan, Lewis & Bockius	D. Knox	D. Wilson	Email re. Platts Article on NRC Staff FOCD Position	FC-1
224	04/30/2013	Morgan, Lewis & Bockius	M. McBurnett	N. McDonald	Email re. NRC Staff FOCD Position	FC-1
225	04/30/2013	Morgan, Lewis & Bockius	M. McBurnett	B. Eller	Email re. NRC Staff FOCD Position	FC-1

DOC #	DATE	LOCATION*	AUTHOR OR CUSTODIAN	TO	SUBJECT/DESCRIPTION	CONTENTION
226	04/30/2013	Morgan, Lewis & Bockius	M. McBurnett	D. Walters	Email re. NRC Staff FOCD Position	FC-1
227	04/29/2013	Morgan, Lewis & Bockius	M. McBurnett	Y. Kanda	Email re. NRC Staff FOCD Position	FC-1
228	05/01/2013	Morgan, Lewis & Bockius	M. McBurnett	R. Bell	Email re. M. McBurnett Update to New Plant Working Group	FC-1
229	04/30/2013	Morgan, Lewis & Bockius	D. Knox	D. Wilson	Email re. San Antonio Express-News/Houston Chronicle and Dallas Morning News on NRC FOCD Position	FC-1
230	05/01/2013	Morgan, Lewis & Bockius	D. Knox	D. Wilson	Email re. SEED Release on NRC FOCD Position	FC-1
231	05/04/2013	Morgan, Lewis & Bockius	D. Knox	B. Eller	Email re. Request for Article on NRC FOCD Position	FC-1
232	05/02/2013	Morgan, Lewis & Bockius	M. McBurnett	D. Knox	Email re. Platts Article on NRC Staff FOCD Position	FC-1
233	04/29/2013	Morgan, Lewis & Bockius	M. McBurnett	R. Bell	Email re. NRC Staff FOCD Position	FC-1
234	05/02/2013	Morgan, Lewis & Bockius	M. McBurnett	B. Eller	Email re. Nucleonics Article on NRC Staff FOCD Position	FC-1
235	05/02/2013	Morgan, Lewis & Bockius	B. Eller	M. McBurnett	Email re. Bay City Tribune Article on NRC FOCD Position	FC-1
236	04/30/2013	Morgan, Lewis & Bockius	M. McBurnett	B. Eller	Email re. NRC Staff FOCD Position	FC-1
237	04/30/2013	Morgan, Lewis & Bockius	C. Shellman	M. McBurnett	Email re. NRC Staff FOCD Position	FC-1
238	04/30/2013	Morgan, Lewis & Bockius	T. Hulihan	M. McBurnett	Email re. NRC Staff FOCD Position	FC-1
239	04/30/2013	Morgan, Lewis & Bockius	D. Walters	M. McBurnett	Email re. NRC Staff FOCD Position	FC-1
240	04/30/2013	Morgan, Lewis & Bockius	D. Koehl	M. McBurnett	Email re. NRC Staff FOCD Position	FC-1
241	05/02/2013	Morgan, Lewis & Bockius	D. Knox	M. McBurnett	Email re. Platts Article on NRC Staff FOCD Position	FC-1
242	06/10/2013	Morgan, Lewis & Bockius	M. McBurnett	N/A	NINA Chief Executive Officer's Interim Certificate	FC-1

ENCLOSURE 3

Proprietary Log

DOC #	DATE	LOCATION*	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION	BASIS FOR PROPRIETARY STATUS
1 - 30	DELETED PER LBP-10-14 (DISMISSING CONTENTIONS 8, 9, 14, 16, AND 21)						
31	06/23/2011	Morgan, Lewis & Bockius	NINA	NRC	Proposed Updated to COLA Part 1 Information	FC-1	NINA Proprietary Information
32	05/26/2010	Morgan, Lewis & Bockius	NINA	NRC	Supplemental Response to Request for Additional Information	FC-1	NINA Proprietary Information
33	09/10/2009	Morgan, Lewis & Bockius	NINA	DOE	STP 3 & 4 90-Day Update Presentation to DOE	FC-1	NINA Proprietary Information
34	02/24/2009	Morgan, Lewis & Bockius	NINA	DOE	STP 3 & 4 Part II Update Presentation to DOE	FC-1	NINA Proprietary Information
35	04/15/2010	Morgan, Lewis & Bockius	NINA	DOE	TEPCO Investment Approval Presentation to DOE	FC-1	NINA Proprietary Information
36	11/19/2009	Morgan, Lewis & Bockius	NINA	DOE	Presentation to DOE – NINA Overview and Update	FC-1	NINA Proprietary Information
37	09/13/2010	Morgan, Lewis & Bockius	NINA	DOE	Part II Submission Follow-on Pertaining to STP Units 3 & 4 Project Funding and Financing	FC-1	NINA Proprietary Information
38	03/05/2009	Morgan, Lewis & Bockius	NINA	N/A	TEPCO Due Diligence Session Presentation	FC-1	NINA Proprietary Information

*Morgan Lewis is located at 1111 Pennsylvania Avenue, NW, Washington, DC 20004.

DOC #	DATE	LOCATION*	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION	BASIS FOR PROPRIETARY STATUS
39	05/10/2010	Morgan, Lewis & Bockius	NINA/TEPCO	NINA/TEPCO	NINA and TEPCO Investment and Option Agreement	FC-1	NINA Proprietary Information
40	05/10/2010	Morgan, Lewis & Bockius	NRG/NINA/TEPCO	NRG/NINA/TEPCO	Parent Company Agreement	FC-1	NINA Proprietary Information
41	05/08/2009	Morgan, Lewis & Bockius	NINA	N/A	NINA Amended Operating Agreement	FC-1	NINA Proprietary Information
42	07/09/2012	Morgan, Lewis & Bockius	NINA	N/A	NINA Board of Directors Presentation on Foreign Ownership, Control, or Domination	FC-1	NINA Proprietary Information
43	07/09/2012	Morgan, Lewis & Bockius	NINA	N/A	Approved Meeting Minutes of the Board of Managers of NINA	FC-1	NINA Proprietary Information
44	04/05/2011	Morgan, Lewis & Bockius	NINA	N/A	Approved Meeting Minutes of Board of Managers of NINA	FC-1	NINA Proprietary Information
45	04/12/2012	Morgan, Lewis & Bockius	NINA	N/A	Approved Meeting Minutes of Board of Managers of NINA	FC-1	NINA Proprietary Information
46	09/11/2012	Morgan, Lewis & Bockius	NINA	N/A	Non-voting Meeting Minutes of Board of Managers of NINA	FC-1	NINA Proprietary Information
47	01/24/2011	Morgan, Lewis & Bockius	NINA	N/A	Written Consent of Manager of NINA	FC-1	NINA Proprietary Information
48	01/31/2013	Morgan, Lewis & Bockius	NINA	N/A	Proposed Update to COLA Part 1 Information	FC-1	NINA Proprietary Information
49	01/24/2013	Morgan, Lewis & Bockius	NINA	N/A	Non-voting Meeting Minutes of Board of Managers of NINA	FC-1	NINA Proprietary Information
50	DELETED - DUPLICATE						

DOC #	DATE	LOCATION*	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION	BASIS FOR PROPRIETARY STATUS
51	11/13/2012	Morgan, Lewis & Bockius	NINA	N/A	Non-voting Meeting Minutes of Board of Managers of NINA	FC-1	NINA Proprietary Information
52	07/27/2011	Morgan, Lewis & Bockius	J. Seeley	L. Przychodzki	Resignation of NINA CFO, B. Chung	FC-1	NINA Proprietary Information
53	02/26/2013	Morgan, Lewis & Bockius	NINA	N/A	Approved Meeting Minutes of Board of Managers of NINA	FC-1	NINA Proprietary Information
54	SUPERSEDED BY DOC NUMBER 55						
55	04/30/2013	Morgan, Lewis & Bockius	STPNOC	NRC	STPNOC and NRG Energy Update on Foreign Ownership, Control, or Influence	FC-1	NINA Personally Identifiable Information
56	05/20/2013	Morgan, Lewis & Bockius	NINA	N/A	NINA Amendment to Credit Agreement. Amendment 9 to Second Supplement and Amendment 7 to Third Supplement	FC-1	NINA Proprietary Information
57	04/29/2013	Morgan, Lewis & Bockius	NINA	N/A	NINA Waiver of TANE Default Agreement	FC-1	NINA Proprietary Information
58	03/27/2013	Morgan, Lewis & Bockius	NINA	N/A	NINA Amendment to Credit Agreement, Amendment 8 to Second Supplement and Amendment 6 to Third Supplement	FC-1	NINA Proprietary Information
59	11/29/2010	Morgan, Lewis & Bockius	NINA	N/A	NINA Amended and Restated Credit Agreement	FC-1	NINA Proprietary Information
60	11/29/2010	Morgan, Lewis & Bockius	NINA	N/A	NINA First Supplement to Credit Agreement	FC-1	NINA Proprietary Information
61	05/15/2011	Morgan, Lewis & Bockius	NINA	N/A	NINA Second Supplement to Credit	FC-1	NINA Proprietary

DOC #	DATE	LOCATION*	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION	BASIS FOR PROPRIETARY STATUS
					Agreement		Information
62	06/30/2011	Morgan, Lewis & Bockius	NINA	N/A	NINA Credit Agreement, Amendment to Second Supplement	FC-1	NINA Proprietary Information
63	08/31/2011	Morgan, Lewis & Bockius	NINA	N/A	NINA Credit Agreement, Third Supplement to Credit Agreement	FC-1	NINA Proprietary Information
64	10/04/2011	Morgan, Lewis & Bockius	NINA	N/A	NINA Credit Agreement, Amendment 3 to First and Second Supplements and Amendment 1 to Third Supplement	FC-1	NINA Proprietary Information
65	11/09/2011	Morgan, Lewis & Bockius	NINA	N/A	NINA Credit Agreement, Amendment 4 to First and Second Supplements and Amendment 2 to Third Supplement	FC-1	NINA Proprietary Information
66	02/24/2012	Morgan, Lewis & Bockius	NINA	N/A	NINA Credit Agreement, Amendment 5 to Second Supplement and Amendment 3 to Third Supplement	FC-1	NINA Proprietary Information
67	04/27/2012	Morgan, Lewis & Bockius	NINA	N/A	NINA Credit Agreement, Amendment 6 to Second Supplement and Amendment 4 to Third Supplement	FC-1	NINA Proprietary Information
68	09/28/2012	Morgan, Lewis & Bockius	NINA	N/A	NINA Waiver of TANE Default Agreement	FC-1	NINA Proprietary Information
69	10/23/2012	Morgan, Lewis & Bockius	NINA	N/A	NINA Credit Agreement, Amendment 7 to Second Supplement and Amendment 5 to Third Supplement	FC-1	NINA Proprietary Information

DOC #	DATE	LOCATION*	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION	BASIS FOR PROPRIETARY STATUS
70	10/05/2011	Morgan, Lewis & Bockius	NINA	NRC	Additional Information Concerning Financial Qualifications	FC-1	NINA Proprietary Information
71	06/07/2012	Morgan, Lewis & Bockius	NINA	NRC	Supplemental Response to Request for Additional Information	FC-1	NINA Proprietary Information
72	06/27/2013	Morgan, Lewis & Bockius	NINA	N/A	Non-Voting Meeting Minutes of the Board of Managers of NINA	FC-1	NINA Proprietary Information
73	04/26/2012	Morgan, Lewis & Bockius	NINA	N/A	NINA Consolidated Financial Statements: December 31, 2011 and 2010	FC-1	NINA Proprietary Information
74	03/29/2013	Morgan, Lewis & Bockius	NINA	N/A	NINA Consolidated Financial Statements: December 31, 2012 and 2011	FC-1	NINA Proprietary Information
75	06/04/2013	Morgan, Lewis & Bockius	NINA	DOE	NINA COLA Part II Third Quarter Follow On Report to DOE	FC-1	NINA Proprietary Information

ENCLOSURE 4

Publicly Available Log

DOC #	DATE	LOCATION	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION
1 - 27		DELETED PER LBP-10-14 (DISMISSING CONTENTIONS 8, 9, 14, 16, AND 21)				
28		DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED				
29 - 32		DELETED PER LBP-10-14 (DISMISSING CONTENTIONS 8, 9, 14, 16, AND 21)				
33 - 40		DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED				
41 - 55		DELETED BECAUSE THE RECORD FOR CONTENTION DEIS-1-G HAS CLOSED				
56 - 60		DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED				
61 - 63		DELETED BECAUSE THE RECORD FOR CONTENTION DEIS-1-G HAS CLOSED				
64 - 67		DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED				
68		DELETED BECAUSE THE RECORD FOR CONTENTION DEIS-1-G HAS CLOSED				
69		DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED				
70		DELETED BECAUSE THE RECORD FOR CONTENTION DEIS-1-G HAS CLOSED				
71		DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED				
72		DELETED BECAUSE THE RECORD FOR CONTENTION DEIS-1-G HAS CLOSED				
73		DELETED BECAUSE THE RECORD FOR CONTENTION CL-2 HAS CLOSED				
74 - 80		DELETED BECAUSE THE RECORD FOR CONTENTION DEIS-1-G HAS CLOSED				
81	04/19/2011	Available at http://phx.corporate-ir.net/External.File?item=UGFyZW50SUQ9OTAwMzB8Q2hpbGRJRjD0tMXxUeXBIPtM=&t=1	NRG Energy, Inc.	N/A	NRG News Release on Development of STP Units 3 & 4	FC-1
82	04/23/2011	Available at http://www.laptopsmanual.com/category/toshiba-notebook-manuals/page/7	Toshiba Corp.	N/A	Toshiba Corp. Continuing to Pursue a License	FC-1
83	05/10/2010	Available at http://phx.corporate-ir.net/External.File?item=UGFyZW50SUQ9NDUzMTR8Q2hpbGRJRjD0tMXxUeXBIPtM=&t=1	NRG Energy, Inc.	N/A	TEPCO to Be a Partner in STP Nuclear Expansion Project	FC-1
84	05/10/2010	Available at http://www.tepco.co.jp/en/press/corp-com/release/10051001-e.html	TEPCO	N/A	TEPCO to Invest in STP Expansion (STP Units 3 & 4)	FC-1

DOC #	DATE	LOCATION	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION
85	05/05/2011	Available at http://investor.nrgenergy.com/phoenix.zhtml?c=121544&p=IROL-sec&secCat01.1_rs=31&secCat01.1_rc=10	NRG Energy, Inc.	N/A	NRG Energy, Inc. 10-Q	FC-1
86	08/02/2010	Available at http://phx.corporate-ir.net/External.File?item=UGFyZW50SUQ9MzlyMzlwMHx0aGlsZElEPTM5MTQ5NnxUeXBIPtI=&t=1	NRG Energy, Inc.	N/A	NRG's Second Quarter 2010 Results Presentation	FC-1
87	04/21/2011	Available at ADAMS Accession No. ML111220150	NRC	N/A	Advisory Committee on Reactor Safeguards Subcommittee Meeting Transcript	FC-1
88	01/31/2011	Available at ADAMS Accession No. ML110340538	NINA	N/A	STP Units 3 & 4 COLA (General Financials), Rev. 5	FC-1
89	10/05/2010	Available at ADAMS Accession No. ML102860171	NINA	N/A	STP Units 3 & 4 COLA (General Financials), Rev. 4	FC-1
90	09/16/2009	Available at ADAMS Accession No. ML092931176	NINA	N/A	STP Units 3 & 4 COLA (General Financials), Rev. 3	FC-1
91	09/24/2008	Available at ADAMS Accession No. ML082830951	NINA	N/A	STP Units 3 & 4 COLA (General Financials), Rev. 2	FC-1
92	08/02/2010	Available at http://investor.nrgenergy.com/phoenix.zhtml?c=121544&p=IROL-sec&secCat01.1_rs=31&secCat01.1_rc=10	NRG Energy, Inc.	N/A	NRG Energy, Inc. 10-Q	FC-1
93	02/17/1999	Available at ADAMS Legacy Accession No. 003753727	NRC	N/A	SECY-98-246 Commission Voting Record, Standard Review Plan on FOD of Applicants for Reactor Licenses	FC-1
94	10/30/2009	Available at ADAMS Accession No. ML093010003	NRC	N/A	Revised Safety Evaluation of Direct and Indirect License	FC-1

DOC #	DATE	LOCATION	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION
					Transfers Due to Corporate Restructuring	
95	11/24/1999	Available at ADAMS Accession No. ML993550412	NRC	N/A	Safety Evaluation of the Proposed Transfer of Clinton Power Station Operating License	FC-1
96	06/30/1999	Available at ADAMS Accession No. ML992800078	NRC	N/A	SECY-99-165 Final Standard Review Plan Regarding FOCD of Applicants for Reactor Licenses	FC-1
97	08/31/1999	Available at ADAMS Accession No. ML003752184	NRC	N/A	Staff Requirements Memorandum, SECY-99-165 Final Standard Review Plan Regarding FOCD of Applicants for Reactor Licenses	FC-1
98	10/13/2011	Available at ADAMS Accession No. ML112860167	NRC	NINA	Request for Additional Information No. 6046, Rev. 6	FC-1
99	10/13/2011	Available at ADAMS Accession No. ML112860167	NRC	NINA	Request for Additional Information No. 6049, Rev. 6	FC-1
100	07/13/2011	Available at ADAMS Accession No. ML111950209	NRC	NINA	Request for Additional Information No. 5856, Rev. 5	FC-1
101	08/04/2011	Available at ADAMS Accession No. ML11217A222	NINA	NRC	NINA Response to Request for Additional Information No. 5856	FC-1
102	DELETED BECAUSE THE RECORD FOR CONTENTION DEIS-1-G HAS CLOSED					
103	02/28/2011	Available at http://public-blog.nrc-gateway.gov/2011/02/28/when-foreign-countries-want-to-buy-into-u-s-nuclear-power-plants-%E2%80%93-what-then/	NRC	N/A	When Foreign Countries Want to Buy into U.S. Nuclear Power Plants – What Then?	FC-1
104	01/17/2012	Morgan, Lewis & Bockius	NINA	N/A	STP Units 3 & 4 Combined License Application: Ownership and Control of NINA	FC-1
105	04/17/2013	Available at ADAMS Accession No. ML13115A682	NINA	N/A	STP Units 3 & 4 COLA (General and	FC-1

DOC #	DATE	LOCATION	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION
					Financial Information), Rev. 9	
106	02/13/2013	Available at http://markets.cbsnews.com/cbsnews/action/getedgarwindow?accesscode=119312513065377	NINA	Shaw	Shaw 8-K	FC-1
107	11/1/2012	Available at ADAMS Accession No. ML12297A134	NRC	STPNOC	Request for Threshold Determination Under 10 CFR 50.80	FC-1
108	03/05/1970	Available at http://cns.miis.edu/inventory/pdfs/apntpt.pdf	Center for Nonproliferation Studies	N/A	The Treaty on the Nonproliferation of Nuclear Weapons	FC-1
109	September 1997	Available at http://www.iaea.org/Publications/Documents/Infircs/1997/infirc540c.pdf	International Atomic Energy Agency (IAEA)	N/A	Model Protocol Additional to the Agreements Between the States and the IAEA for the Application of Safeguards (INFCIRC 540 (corrected))	FC-1
110	03/08/1954	Available at http://japan2.usembassy.gov/pdfs/wwwf-mdao-mdaa1954.pdf	U.S. Department of State	N/A	The Mutual Defense Assistance Agreement Between the U.S. and Japan	FC-1
111	03/27/2012	Available at http://www.whitehouse.gov/the-press-office/2012/03/27/united-states-japan-nuclear-security-working-group-fact-sheet	White House	N/A	White House Press Statement: U.S.-Japan Nuclear Security Working Group	FC-1
112	02/26/1968	Available at http://nnsa.energy.gov/sites/default/files/nnsa/05-13-multiplefiles/2013-05-02%20Japan_123.pdf	National Nuclear Security Agency	N/A	Agreement for Cooperation Between the Government of the U.S. and the Government of Japan Concerning Civil Uses of Atomic Energy	FC-1
113	December 2012	Available at http://www.fas.org/_docs/2012IssueBrief_Japan.pdf	Federation of American Scientists	N/A	Japan's Role as Leader for Nuclear Nonproliferation	FC-1
114	03/31/2012	Available at http://www.toshiba.co.jp/about/ir/en/finance/ar/ar2012/tar2012e.pdf	Toshiba	N/A	Toshiba 2012 Annual Report	FC-1
115	12/31/2012	Available at http://www.sec.gov/Arcives/edgar/data/80255/000008025513000312/nrg13gadec12.htm	NRG Energy	N/A	NRG Energy SEC Schedule	FC-1

DOC #	DATE	LOCATION	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION
116	05/07/2013	Available at ADAMS Accession No. ML13136A243	NINA	N/A	Request for Threshold Determination Under 10 CFR 50.80	FC-1
117	05/29/2013	Available at ADAMS Accession No. ML13157A020	NINA	N/A	NINA Review of NRC Staff Letter for Identification of Proprietary Information re FOCD Review	FC-1
118	04/12/1999	Available at ADAMS Legacy Accession No. 9905180206	NRC	N/A	Safety Evaluation of Transfer of Facility Operating License of Three Mile Island, Unit 1	FC-1
119	11/24/1999	Available at ADAMS Accession No. ML993500269	NRC	N/A	Order Approving Transfer of License and Conforming Amendment	FC-1
120	06/06/2000	Available at ADAMS Accession No. ML003723210	NRC	N/A	Order Approving Transfer of License for Oyster Creek	FC-1
121	07/07/2000	Available at ADAMS Accession No. ML003728089	NRC	N/A	Order Approving Transfer of License for Vermont Yankee	FC-1
122	11/04/1999	Available at ADAMS Accession No. ML993200214	NRC	N/A	Notice of Withdrawal of Petitions for Leave to Intervene and for Hearing and Joint Motion to Terminate Proceeding	FC-1
123	11/10/1999	Available at ADAMS Accession No. ML993260013	NRC	N/A	Safety Evaluation of Proposed Merger of PacifiCorp and ScottishPower PLC	FC-1
124	08/12/2011	Available at ADAMS Accession No. ML11234A062	CENG	NRC	Response to NRC's Request for Additional Information on License Transfer Application	FC-1
125	10/30/1998	Available at ADAMS Accession No. ML992870102	NRC	N/A	Preliminary Staff View Concerning Its Review of the Foreign Ownership Aspects of	FC-1

DOC #	DATE	LOCATION	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION
					AmerGen's Proposed Purchase of Three Mile Island, Unit 1	
126	12/22/1999	64 Fed. Reg. 71832	NRC	N/A	Order Approving Merger of New England Electric System and the National Grid Group PLC	FC-1
127	12/27/1999	64 Fed. Reg. 72367	NRC	N/A	Order Approving Application Regarding Merger of New England Electric Systems and National Grid Group PLC	FC-1
128	03/01/2000	65 Fed. Reg. 11091	NRC	N/A	Order Approving Transfer of License and Conforming Amendment	FC-1
129	12/10/1999	Available at ADAMS Accession No. ML993540045	NRC	N/A	Safety Evaluation of Proposed Merger of New England Electric System and the National Grid Group PLC, Seabrook Station, Unit 1	FC-1
130	03/11/2013	Available at ADAMS Accession No. ML13070A150	NRC	N/A	Staff Requirements Memorandum – SECY-12-0168 Petition for Review of LBP-12-19	FC-1
131	06/19/2013	Available at ADAMS Accession No. ML13169A118	Paul M. Murphy, Milbank, Tweed, Hadley & McCloy LLP	N/A	Presentation at NRC Public Meeting: Considerations from a Financing Perspective	FC-1
132	06/19/2013	Available at ADAMS Accession No. ML13170A231	Ellen C. Ginsberg, NEI	N/A	Presentation at NRC Public Meeting: Perspectives on Foreign Ownership, Control or Domination Issues and the Global Nuclear Market	FC-1
133	06/19/2013	Available at ADAMS Accession No.	John E. Matthews, Morgan Lewis	N/A	Presentation at NRC Public	FC-1

DOC #	DATE	LOCATION	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION
		ML13169A096			Meeting: Focusing the FOCD Restriction on National Security	
134	06/19/2013	Available at ADAMS Accession No. ML13169A180	Michael Mariotte, Nuclear Information and Resource Service	N/A	Presentation at NRC Public Meeting: Foreign ownership, control or domination of U.S. nuclear reactors	FC-1
135	11/06/2009	Available at http://www.google.com/url?sa=t&rct=j&q=%22second%20amended%20and%20restated%20operating%20agreement%22%20and%20%22november%20%2C%202009%22&source=web&cd=2&cad=rja&ved=0CC8QFjAB&url=http%3A%2F%2Fwebapp.psc.state.md.us%2FIntranet%2FCasenum%2FNewIndex3_VOpenFile.cfm%3Ffilepath%3DC%3A%255CCasenum%255C9200-9299%255C9271%255CItem_11%255C%255CAtt7_11-06-2009CENGSecondAmendedOperatingAgreement.pdf&ei=AEXKUf3aEtSr4APD_IGQDg&usg=AFQjCNHV-EhLOT2f34_ymwz8T_Py8Ysl0w	Constellation Nuclear Energy Group, LLC (CENG)	N/A	CENG Second Amended and Restated Operating Agreement	FC-1
136	08/18/1997	Available at ADAMS Legacy Accession No.9901210024	AmerGen Energy Company, LLC	N/A	Limited Liability Company Agreement	FC-1
137	1999	Available at 20 Energy L.J. 263 (1999)	Martin G. Malsch	N/A	Energy Law Journal: The Purchase of U.S. Nuclear Power Plants by Foreign Entities	FC-1
138	06/19/2013	Available at ADAMS Accession No. ML13169A416	Christopher R. Brewster, Stroock	N/A	Presentation at NRC Public Meeting: Mitigation of Foreign Ownership, Control, & Influence The Experience Under the National Industrial Security Program	FC-1

DOC #	DATE	LOCATION	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION
					Operating Manual	
139	01/25/2011	Available at ADAMS Accession No. ML110460556	NRC	N/A	Hearing Transcript in Areva Enrichment Services, LLC (Eagle Rock Enrichment Facility)	FC-1
140	February 2011	Available at ADAMS Accession No. ML110980787	NRC	N/A	Blog entitled "When Foreign Countries Want to Buy into U.S. Nuclear Power Plants – What Then?"	FC-1
141	11/01/2011	Available at ADAMS Accession No. ML113080167	NRC	N/A	Presentation entitled "Foreign Ownership of U.S. Commercial Nuclear Facilities"	FC-1
142	03/14/2012	Available at http://www.nrc.gov/public-involve/conference-symposia/ric/past/2012/docs/abstracts/simmons-hv-w15.pdf	NRC	N/A	Presentation at the 2012 NRC Regulatory Information Conference entitled "Foreign Ownership, Control, or Domination (FOCD) and Globalization"	FC-1
143	05/07/2013	Available at ADAMS Accession No. ML13135A001	NRC	N/A	Transcript of 10 CFR 2.206 Petition Review Board Re Entergy Nuclear Operations	FC-1
144	04/14/2012	Available at http://www.nrc.gov/public-involve/conference-symposia/ric/past/2012/agenda.html .	NRC	N/A	Audio of 2012 Regulatory Information Conference Session on Foreign Ownership, Control, or Domination	FC-1
145	07/15/2013	Available at ADAMS Accession No. ML13228A225	NRC	N/A	Non-Concurrence Process Record for 2013-003	FC-1
146	08/02/2013	Available at http://www.nei.org/CorporateSite/media/filefolder/Federal-State-Local-Policy/Legal-Documents/NEI-FOCD-Comments-FILED-August-2-2013-Compressed.pdf?ext=.	NEI	NRC	Comments of the Nuclear Energy Institute on Requirements Related to Foreign Ownership,	FC-1

DOC #	DATE	LOCATION	AUTHOR OR CUSTODIAN	TO	SUBJECT/ DESCRIPTION	CONTENTION
		pdf			Control, or Domination of Commercial Nuclear Power Plants	
147	08/02/2013	Available at ADAMS Accession No. ML13234A019	Senator Edward J. Markey	NRC	Letter from Senator Markey to NRC Chairman Macfarlane on Foreign Ownership	FC-1
148	08/27/2013	Available at ADAMS Accession No. ML13247A008	NRC	Senator Markey	NRC Responses to Questions from Senator Markey	FC-1

**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))	October 1, 2013
_____)	

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2013 a copy of Nuclear Innovation North America LLC's "Forty-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