

December 22, 2014

Chairman Allison M. Macfarlane  
Commissioner Kristine L. Svinicki  
Commissioner William C. Ostendorff  
Commissioner Jeff Baran  
Commissioner Stephen G. Burns

In the matter of  
DTE ELECTRIC CO.  
(Fermi Nuclear Power Plant, Unit 3)  
Docket No. 52-033

Dear Chairman and Commissioners,

This letter is to inform the Commission that on December 11, 2014, subsequent to the issuance of the notice of hearing for the DTE Electric Co. Fermi 3 combined license uncontested hearing, the U.S. Fish and Wildlife Service (FWS) issued a notice determining that a species of bird—the rufa red knot—has been designated as threatened under the Endangered Species Act (ESA). The listing becomes effective on January 12, 2015. Consistent with Section 7 of the ESA, the NRC staff has promptly initiated consultation with the FWS to evaluate the possibility that the rufa red knot may be present within the vicinity of the proposed facility and, if so, whether the action would adversely affect it.

Because the NRC staff would not issue a combined license prior to completion of this consultation, this development has the potential to affect the schedule for the agency's final decision on the COL application. However, the pendency of this consultation should not preclude the Commission from proceeding with the uncontested hearing on February 4, 2015. The NRC staff will inform the Commission as soon as the consultation is complete; in the event that occurs after the February 4 hearing, the Commission can supplement the uncontested hearing record to the extent it determines necessary.

Respectfully submitted,

/Signed (electronically) by/  
Kevin C. Roach  
Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(201) 521-2078  
Kevin.Roach@nrc.gov

Dated at Jersey City, New Jersey  
this 22nd Day of December 2014

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of )  
 )  
DTE ELECTRIC CO. ) Docket No. 52-033-COL  
 )  
(Fermi Nuclear Power Plant, Unit 3) )

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305 (revised), I hereby certify that copies of the foregoing "NRC Staff Notification Letter" dated December 22, 2014, have been served upon the Electronic Information Exchange, the NRC's E-Filing System, in the above captioned proceeding, this 22nd day of December, 2014.

**/Signed (electronically) by/**

Kevin C. Roach  
Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15-D21  
Washington, DC 20555  
Telephone: (201) 521-2078  
E-mail: Kevin.Roach@nrc.gov

Dated at Jersey City, New Jersey  
this 22nd day of December, 2014