

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	Docket No. 50-250-LA
Florida Power & Light Company)	50-251-LA
)	
(Turkey Point Units 3 and 4))	ASLBP No. 15-935-02-LA-BD01

**FLORIDA POWER & LIGHT COMPANY’S ANSWER
SUPPORTING THE NRC STAFF’S MOTION IN LIMINE**

Florida Power & Light Company hereby answers the NRC Staff’s “Motion in Limine to Exclude Portions of the Prefiled Rebuttal Testimony or in the Alternative Strike Portions of the Prefiled Rebuttal Testimony and Rebuttal statement of Position,” dated December 14, 2015. FPL supports the motion. CASE’s Rebuttal includes arguments and testimony on matters that should have been raised in CASE’s case-in-chief, discussion of issues that are beyond the scope of the contention, testimony offered without proper foundation regarding the expertise of the witness, non-sworn statements attributed to a witness, and citation to documents that were not properly disclosed. As explained in the NRC Staff’s motion, these portions of CASE’s rebuttal should all be excluded.

CERTIFICATION

I certify that I have made a sincere effort to be available to consult with the moving party, and to attempt in good faith to resolve the factual and legal issues raised in the motion, and that my efforts to resolve the issues have been unsuccessful. While FPL and the NRC Staff were able to reach agreement, efforts to resolve the issues with CASE were unsuccessful.

Respectfully Submitted,

Signed (electronically) by Steven Hamrick

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December 15, 2015

COUNSEL FOR
FLORIDA POWER & LIGHT COMPANY

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing “Florida Power & Light Company’s Answer Supporting the NRC Staff’s Motion in Limine” were provided to the E-Filing system for service to those individuals on the service list in this proceeding.

Signed (electronically) by,

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Dated at Washington, DC
this 15th day of December, 2015