

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE COMMISSION

)	
In the Matter of)	
)	Docket Nos. 50-250-SLR and 50-251-SLR
FLORIDA POWER & LIGHT COMPANY)	
)	April 11, 2019
(Turkey Point Nuclear Generating Units 3 and 4))	
)	

NOTICE REGARDING SACE WITHDRAWAL

In accordance with its obligation to inform the Commission of relevant developments,¹ Florida Power & Light Company (“FPL”) hereby files this Notice regarding the withdrawal of intervenor party Southern Alliance for Clean Energy (“SACE”) from the above-captioned proceeding. SACE filed its immediately-effective Notice of Withdrawal with the Atomic Safety and Licensing Board (“Board”) on April 9, 2019.² In LBP-19-3, the Board admitted portions of two contentions proffered by SACE.³ Thus, SACE’s withdrawal is relevant to the Commission because it materially affects FPL’s pending appeal of LBP-19-3.⁴

By operation of law, SACE’s withdrawal extinguishes its pending contentions from this proceeding.⁵ Accordingly, the portion of FPL’s Appeal seeking Commission review of the Board’s decision to admit (in part) SACE Contentions 1-A and 2 is now moot. The remaining portions of FPL’s Appeal of LBP-19-3 are unaffected by SACE’s withdrawal.

¹ See *Duke Power Co.* (William B. McGuire Nuclear Station, Units 1 & 2), ALAB-143, 6 AEC 623, 625 (1973).

² Southern Alliance for Clean Energy’s Notice of Withdrawal (Apr. 9, 2019) (ML19099A314).

³ *Fla. Power & Light Co.* (Turkey Point Nuclear Generating Units 3 and 4), LBP-19-3, 89 NRC ___ (slip op.) (Mar. 7, 2019).

⁴ See Florida Power & Light Company’s Notice of Appeal of LBP-19-3 (Apr. 1, 2019) (ML19091A302).

⁵ *Houston Lighting & Power Co.* (South Texas Project, Units 1 & 2), ALAB-799, 21 NRC 360, 382 (1985).

Respectfully submitted,

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

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Signed (electronically) by Ryan K. Lighty

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Counsel for Florida Power & Light Company

Dated in Washington, D.C.
this 11th day of April 2019

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CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305, I certify that, on this date, a copy of the foregoing “Notice Regarding SACE Withdrawal” was filed on the Electronic Information Exchange (the NRC’s E-Filing System) in the above-captioned proceeding. A copy of the foregoing also was sent by electronic mail to Richard E. Ayres, Esq. at ayresr@ayreslawgroup.com.

Signed (electronically) by Ryan K. Lighty

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