

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Ronald M. Spritzer, Chairman  
Nicholas G. Trikouros  
Dr. Sekazi K. Mtingwa

In the Matter of

NEXTERA ENERGY SEABROOK, LLC

(Seabrook Station, Unit 1)

Docket No. 50-443-LA-2

ASLBP No. 17-953-02-LA-BD01

August 12, 2019

ORDER

(Scheduling Pre-Hearing Teleconference and Providing Instructions)

The Atomic Safety and Licensing Board (Board) has scheduled an evidentiary hearing in the above-captioned proceeding beginning on Tuesday, September 24, 2019, at 9:30 a.m. Eastern Daylight Time (EDT) and continuing daily as necessary through Friday, September 27, 2019, at 5:30 p.m. EDT.<sup>1</sup> To review the conduct of the evidentiary hearing, the Board will hold a pre-hearing telephone conference on Monday, August 26, 2019, beginning at 2:00 p.m. EDT.

The Board will establish a bridge line for this telephone conference, with three lines provided for each party. The Board's law clerk will contact the participants by e-mail to provide the telephone number and passcodes for participation access.

During the teleconference, the Board will discuss the following issues, and the parties' representatives may raise any concerns about these matters:

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<sup>1</sup> See Licensing Board Order (Notice of Evidentiary Hearing and Opportunity to Provide Oral and Written Limited Appearance Statements) (June 25, 2019) at 3 (unpublished).

1. **Board Request for Redacted Versions of Certain Exhibits.** Intervenor's Exhibits INT-001-R and INT007 have been designated as containing proprietary information subject to the Protective Order in this proceeding. Those exhibits do not identify the specific proprietary information they contain. Therefore, the Board cannot distinguish between the proprietary and non-proprietary parts of Exhibits INT-001-R and INT007. This means that any Board questions concerning those exhibits would have to be conducted in a session from which the general public would be excluded. Those exhibits contain the opinions of Dr. Saouma, Intervenor's expert, and therefore the public would be excluded from a large and important part of the evidentiary hearing. To reduce the portion of the hearing that must be closed, the Board requests that NextEra and Intervenor's confer and submit redacted versions of INT-001-R and INT007 to eliminate propriety information (see, for example, INT010, in which proprietary information has been blacked out).<sup>2</sup> The Board is continuing to review the exhibits and will notify the participants if it would be helpful to have redacted versions of any exhibit other than INT-001-R and INT007.
2. **Closing the Hearing.** The Board anticipates asking some questions that may concern nonpublic information identified by one or more of the parties to the proceeding that could require a part of the hearing to be closed to the public. The Board anticipates setting aside several hours on Wednesday, September 25, for such questions. During that time, the hearing will be closed to the general public.
3. **Simultaneous Questioning of Witnesses.** The Board plans to question all the parties' witnesses simultaneously. We believe this will expedite the hearing and make it easier to question the witnesses on the issues of interest to the Board. To facilitate the simultaneous

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<sup>2</sup> The Board recognizes that Intervenor's have submitted non-proprietary versions of INT-001-R and INT007. However, those exhibits, INT002 and INT008, are significantly condensed versions of INT-001-R and INT007, and therefore do not provide a sufficient basis for the Board's questioning of Dr. Saouma.

questioning of witnesses, the Board plans to arrange the hearing room as shown in the attached diagram.

4. **Exhibits.** In its May 23, 2019 case management order, the Board instructed each participant to file an exhibit list identifying its pre-filed testimony and other exhibits.<sup>3</sup> In addition, the Board requested that concurrent with the filing of any additional or revised evidentiary materials, each party file an updated exhibit list via the E-Filing system. Intervenor's rebuttal testimony and exhibits are due August 23. Following the receipt of those materials, the Board will prepare a final exhibit list identifying all pre-filed testimony and other exhibits (including revised exhibits) that have been filed by the participants. The final exhibit list will be distributed to the parties' representatives before the evidentiary hearing. At the beginning of the evidentiary hearing, the Board will ask each participant to move its exhibits on the final exhibit list into evidence. The Board will rule on any objections at that time. The Board encourages the parties to resolve any issues related to exhibits prior to the hearing.

In addition to the matters identified above, the participants may raise at the prehearing teleconference any other procedural issue of concern related to the conduct of the evidentiary hearing.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Ronald M. Spritzer, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
August 12, 2019

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<sup>3</sup> See Licensing Board Order (Providing Case Management Instructions) (May 23, 2019) at 3–4 (unpublished).

Public Seating Mezzanine

Kitchen

Elevator

Womens  
Restroom  
1st floor

1st floor

Law Clk.

IT/AV

CR.

Intervenor  
Witness(es)

Judges

Judges

Judges

Staff  
Witness(es)

Mens  
Restroom  
1st floor

Stage

Public Seating Mezzanine

Public Seating 1st floor

Applicant  
Witness(es)

Applicant

Staff

Intervenor

Public Seating Mezzanine

Entrance

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
NEXTERA ENERGY SEABROOK, LLC	)	Docket No. 50-443-LA-2
(Seabrook Station, Unit 1)	)	
	)	
(License Amendment)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Scheduling Pre-Hearing Teleconference and Providing Instructions)** have been served upon the following persons by Electronic Information Exchange.

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NEXTERA ENERGY SEABROOK, LLC (Seabrook Station Unit 1) – Docket No. 50-443-LA-2  
**ORDER (Scheduling Pre-Hearing Teleconference and Providing Instructions)**

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[Original signed by Clara Sola \_\_\_\_\_]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 12<sup>th</sup> day of August 2019