

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

Emily I. Krause, Chair  
Dr. Sue H. Abreu  
Dr. Michael F. Kennedy

In the Matter of:

FLORIDA POWER & LIGHT COMPANY

(Turkey Point Nuclear Generating Units 3  
and 4)

Docket Nos. 50-250-SLR-2  
50-251-SLR-2

ASLBP No. 24-981-01-SLR-BD01

January 9, 2024

MEMORANDUM AND ORDER  
(Providing Administrative Information and  
Topic for Initial Prehearing Conference)

As described in our December 21, 2023 Memorandum and Order,<sup>1</sup> this Licensing Board will hold oral argument using the Cisco WebEx web conferencing platform on Wednesday, January 24, 2024, beginning at 1:00 p.m. Eastern Time (ET). The Board anticipates that the argument will not exceed 2 hours.

The Board will hear from counsel for Miami Waterkeeper, counsel for the Nuclear Regulatory Commission (NRC) Staff, and counsel for Florida Power & Light Company (FPL), in that order. Miami Waterkeeper will be allotted 30 minutes to present oral argument and answer questions. The NRC Staff and FPL each will be allotted 15 minutes. Miami Waterkeeper may reserve up to 10 minutes of their prescribed time for rebuttal. No other rebuttal will be permitted.

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<sup>1</sup> See Licensing Board Order (Scheduling Initial Prehearing Conference) (Dec. 21, 2023) (unpublished).

Along with the other issues raised in Miami Waterkeeper's hearing request, counsel should be prepared to address the appropriate scope of this proceeding, particularly in light of the Commission's decision in CLI-22-3, including (1) the Commission's statement that the new notice of opportunity for hearing would be "limited to contentions based on new information in the site-specific environmental impact statement"; (2) the Commission's expectations that Intervenor's would not be required to meet heightened pleading standards for newly filed or refiled contentions and that they "would update references, as appropriate, in any refiled contentions"; and (3) the Commission's dismissal of the motions, petitions, and appeals pending before it in this matter without prejudice.<sup>2</sup> Counsel should keep in mind that the Board has read their written pleadings. Accordingly, counsel should not merely repeat arguments, but rather should focus on the principal points in controversy and endeavor to provide responsive answers to the Board's questions, with reference to material presented in the written filings. Counsel should not attempt to introduce new information during the argument.

On or before noon ET on Friday, January 12, 2024, counsel shall provide the Board's law clerk, Emily Newman (Emily.Newman@nrc.gov), with an email specifying the name of the representative for each participant who will be presenting argument.<sup>3</sup> Ms. Newman will reach out to the participants' counsel to schedule a test for the Cisco WebEx conferencing platform. Although counsel will be appearing remotely, the Board expects those taking part in the oral argument to conduct themselves as if in a hearing room setting, which includes seeking to minimize outside noise and interruptions while the argument is ongoing.

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<sup>2</sup> Duke Energy Carolinas, LLC (Oconee Nuclear Station, Units 1, 2, and 3), CLI-22-3, 95 NRC 40, 42-43 & n.8.

<sup>3</sup> If a participant anticipates that they will need video access to the argument for more than one representative, by the Friday deadline above, they should provide a separate e-mail to Ms. Newman, with a copy to all other participants, that identifies the additional individual(s) who should be given video access and explains why such access is necessary. Video access, however, will not provide participants' counsel with the ability to communicate separately with the designated individual(s). Counsel should make other arrangements that will allow for prompt consultation in formulating a response to a Board question.

Members of the public and other interested persons who wish to listen to the oral argument may access the listen-only line by dialing (301) 576-2978 and entering passcode 938 948 097, followed by the “#” sign. After successful entry of the passcode, you will hear the following message: “You are not allowed to unmute. To raise your hand press \*5.” This conference line is not being monitored and pressing \*5 will not allow you to participate in the conference. The argument will be transcribed, and the transcript will be placed promptly in the NRC’s electronic hearing docket, where it will be publicly available.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Emily I. Krause, Chair  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
January 9, 2024

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
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FLORIDA POWER & LIGHT COMPANY ) Docket Nos. 50-250-SLR-2  
 ) 50-251-SLR-2  
(Turkey Point Nuclear Generating )  
Units 3 & 4) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **MEMORANDUM AND ORDER (Providing Administrative Information and Topic for Initial Prehearing Conference)** have been served upon the following persons by Electronic Information Exchange.

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Turkey Point, Units 3 & 4, Docket Nos. 50-250 and 50-251-SLR-2

**MEMORANDUM AND ORDER (Providing Administrative Information and Topic for Initial Prehearing Conference)**

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 9<sup>th</sup> day of January 2024.