

September 20, 2012

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
NextEra Energy Seabrook, LLC)	Docket No. 50-443-LR
)	
(Seabrook Nuclear Station, Unit 1))	ASLBP No. 10-906-02-LR-BD01

FRIENDS OF THE COAST AND NEW ENGLAND COALITION'S MEMORANDUM OF FULL SUPPORT FOR A JOINT MOTION TO MODIFY INITIAL SCHEDULING ORDER

I. INTRODUCTION

On August 22, 2012, the Atomic Safety and Licensing Board (“Board”) issued an order notifying the parties that the NRC amended its Part 2 regulations¹ related to adjudicatory proceedings.² The order encourages the parties to file a motion to modify the initial scheduling order (“ISO”)³ if the parties believe that the amendments to the Part 2 regulations require any changes to the ISO.

The NRC staff (“Staff”), NextEra Energy Seabrook, LLC (“NextEra”) and the Friends of the Coast and the New England Coalition (“Friends/NEC”) (collectively, the “parties”), have reviewed the ISO, and agreed that certain amendments should be made to that document.

The proposed amendments are contained in a JOINT MOTION TO MODIFY INITIAL SCHEDULING ORDER to be filed by the parties on or before September 20, 2012.

¹ Amendments to Adjudicatory Process Rules and Related Requirements, 77 Fed. Reg. 46,562(Aug. 3, 2012).

² Order (Notifying Parties of 10 C.F.R. Part 2 Rule Changes), at 1 (Aug. 22, 2012) ,ADAMS Accession No. ML12235A350 .

³ *Id.* at 1; Initial Scheduling Order (Apr. 4, 2011) (ADAMS Accession No. ML110940336) (“ISO”).

DISCUSSION

Friends/NEC initially informed the NRC Staff, which was preparing the aforesaid Joint Motion and soliciting concurrence for the joint motion, that Friends/NEC wished to reserve comment for a separate related motion regarding NRC Staff disclosure obligations in the Seabrook matter. . Upon a closer reading of the Part 2 Rule Changes and an exploration of applicable caselaw, Friends/NEC finds however that the rule changes are pretty much dispositive regarding NRC Staff disclosure obligations.

Therefore, Friends/NEC will not be filing a separate motion and respectfully joins and fully supports the forthcoming, JOINT MOTION TO MODIFY INITIAL SCHEDULING ORDER

III. CONCLUSION In light of the foregoing and for reasons cited in the Joint Motion, Friends/NEC now unreservedly joins the parties in respectfully requesting that the Board now modify the initial scheduling order to incorporate the proposed amendments.

Executed in Accord with 10 CFR 2.304(d)
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "FRIENDS OF THE COAST AND NEW ENGLAND COALITION'S MEMORANDUM OF FULL SUPPORT FOR A JOINT MOTION TO MODIFY INITIAL SCHEDULING ORDER" dated September 20, 2012, have been served upon the following by the Electronic Information Exchange, this 20th day of September, 2012:

Executed in Accord with 10 CFR 2.304(d)

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and New England Coalition
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