

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before the Atomic Safety and Licensing Board**

In the Matter of)	Docket No. 50-346-LR
<i>First Energy Nuclear Operating Company</i>)	
(Davis-Besse Nuclear Power Station, Unit 1))	July 7, 2012
)	

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**INTERVENORS' REPORT OF 10 C.F.R. § 2.323(b) CONSULTATION PRIOR TO
FILING OF FEBRUARY 2012 'INTERVENORS' MOTION
TO AMEND MOTION FOR ADMISSION OF CONTENTION NO. 5'**

Now comes Terry Lodge, counsel for Intervenor Beyond Nuclear, Citizens Environment Alliance of Southwestern Ontario (CEA), Don't Waste Michigan, and the Green Party of Ohio (collectively, "Intervenors"), and certifies as follows respecting the requirement of consultation prior to the filing of motions contained in 10 C.F.R. § 2.323(b). On February 26, 2012, counsel contacted opposing counsel for FENOC and the NRC staff via email and outlined Intervenor's intentions of filing a motion to amend their pending Motion for Admission of Contention 5 by February 27, 2012.

On February 27, 2012, counsel for the NRC Staff responded with an email to Intervenor's counsel, stating that the Staff reserved the right to oppose the motion, once filed.

Intervenors received no response from counsel for FENOC, and proceeded to file on February 27, 2012 "Intervenors' Motion to Amend 'Motion for Admission of Contention No. 5'" in the NRC's EIE system.

/s/ Terry J. Lodge
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the INTERVENORS' REPORT OF 10 C.F.R. § 2.323(b) CONSULTATION PRIOR TO FILING OF FEBRUARY 2012 'INTERVENORS' MOTION TO AMEND MOTION FOR ADMISSION OF CONTENTION NO. 5' was sent by us to the following persons via electronic deposit filing with the Commission's EIE system on the 7th day of July, 2012:

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Administrative Judge
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Respectfully submitted,

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