

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Ronald M. Spritzer, Chairman  
Dr. Anthony J. Baratta  
Dr. Randall J. Charbeneau

In the Matter of

DETROIT EDISON COMPANY

(Fermi Nuclear Power Plant, Unit 3)

Docket No. 52-033-COL

ASLBP No. 09-880-05-COL-BD01

August 29, 2012

ORDER

(Notifying Parties of Amendments to Rules of Practice)

On August 3, 2012, the Commission issued a final rule amending its 10 C.F.R. Part 2 rules of practice for licensing proceedings.<sup>1</sup> The effective date of the amended rules is September 4, 2012, and “the new or amended requirements will be effective and govern all obligations and disputes that arise after the effective date.”<sup>2</sup> The parties are instructed to familiarize themselves with the amended Part 2, particularly those provisions regarding the filing of new or amended contentions.<sup>3</sup> With regards to existing discovery obligations in this proceeding, the schedule for mandatory disclosures shall continue under the terms of the

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

<sup>2</sup> Id. at 46,562.

<sup>3</sup> See id. at 46,591-92.

parties' Joint Motion,<sup>4</sup> as acknowledged by the Board's scheduling order.<sup>5</sup> All other provisions in the scheduling order shall remain in effect, except as revised upon motion by a party.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Ronald M. Spritzer, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
August 29, 2012

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<sup>4</sup> Joint Motion on Mandatory Disclosures (Aug. 19, 2009).

<sup>5</sup> Licensing Board Order (Establishing Schedule and Procedures to Govern Further Proceedings), Sept. 11, 2009 (unpublished) at 1.

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(Combined License) )

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Notifying Parties of Amendments to Rules of Practice)** have been served upon the following persons by Electronic Information Exchange.

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Docket No. 52-033-COL  
**(Notifying Parties of Amendments to Rules of Practice)**

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[Original signed by Nancy Greathead]  
 Office of the Secretary of the Commission

Dated at Rockville, Maryland  
 this 29<sup>th</sup> day of August 2012