

March 14, 2013

Ms. Mary Jo Kunkle
Executive Secretary
Michigan Public Service Commission
6545 Mercantile Way
Lansing, MI 48909

SUBJECT: NOTIFICATION OF THE AVAILABILITY OF THE COMBINED LICENSE
APPLICATION FOR FERMI 3 IN ACCORDANCE WITH TITLE 10 OF THE *CODE
OF FEDERAL REGULATIONS* 50.43 REQUIREMENTS

Dear Ms. Kunkle:

On September 18, 2008, Detroit Edison Company (Detroit Edison¹) tendered a combined license (COL) application to construct and operate an Economic Simplified Boiling-Water Reactor (ESBWR) at the Fermi Nuclear Power Plant site located in Monroe County, Michigan. The reactor is identified as Fermi 3. The application is currently under review by the NRC staff.

In that September 18, 2008, letter, Detroit Edison stated that it was submitting the COL application pursuant to the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants," Subpart C, "Combined Licenses," and requesting the associated materials licenses under 10 CFR Parts 30, 40, and 70. In addition, Detroit Edison stated that the COL application incorporates by reference Revision 4 of the GE-Hitachi Nuclear Energy Americas, LLC (GEH) application for the ESBWR Design Control Document (DCD) submitted on August 24, 2005. The U.S. Nuclear Regulatory Commission (NRC) is currently reviewing the ESBWR DCD under Docket Number 52-010. Since the initial submission of the COL application, Detroit Edison has updated it to reference Revision 9 of the ESBWR DCD application.

In accordance with the requirements found in 10 CFR 50.43(a)(1), the staff is providing this written notification to you because the staff has determined that your agency may have jurisdiction over the rates and services that are incident to the possible licensing by the NRC of Fermi 3.

A copy of the application is available on the Internet at <http://www.nrc.gov/reactors/new-reactors/col.html>. The application is also available via the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at

¹ On December 21, 2012, the Detroit Edison company sent the NRC a letter indicating that, effective January 1, 2013, the name of the company would be changed to "DTE Electric Company." The legal entity will remain the same (see ML12361A437).

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<http://www.nrc.gov/reading-rm/adams.html>. Other publicly available documents related to the application are also posted in ADAMS.

If you have any questions, I can be reached at (301) 415-4093 or by email at

Adrian.Muniz@nrc.gov.

Sincerely,

/RA/

Adrian Muniz, Lead Project Manager
Licensing Branch 3
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-033

cc w/encl: See next page

M. Kunkle

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Docket No.: 52-033

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(Revised 01/29/2013)

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