

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

_____	)	
In the Matter of	)	Docket Nos. 52-012-COL
	)	52-013-COL
NUCLEAR INNOVATION NORTH AMERICA LLC	)	
	)	
(South Texas Project Units 3 and 4)	)	January 22, 2014
_____	)	

**JOINT PROPOSED TRANSCRIPT CORRECTIONS FOR  
EVIDENTIARY HEARING ON CONTENTION FC-1**

On January 6-8, 2014, the Atomic Safety and Licensing Board (“Board”) received testimony and other evidence at an evidentiary hearing for Contention FC-1 in Houston, Texas. In accordance with the Board’s instructions at the hearing and 10 C.F.R. § 2.327(d), the Parties<sup>1</sup> jointly submit their proposed corrections to the transcript<sup>2</sup> of the January 6-8, 2014 evidentiary hearing. The proposed transcript corrections are identified in tabular format in Attachment 1. The Parties respectfully request that the Board approve these transcript corrections.

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<sup>1</sup> The Parties are Nuclear Innovation North America LLC, Nuclear Regulatory Commission Staff, and the Intervenor.

<sup>2</sup> Transcript for Nuclear Innovation North America, South Texas Project, Units 3&4, Docket Nos. 52-12-COL and 52-13-COL (Jan. 6-8, 2014).

Respectfully submitted,

Executed in Accord With 10 C.F.R. § 2.304(d)

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*Counsel for NRC Staff*

Dated in Washington, DC  
this 22nd day of January 2014

## ATTACHMENT 1 – PROPOSED TRANSCRIPT CORRECTIONS

Page	Line(s)	Current Statement	Proposed Correction
1980	6-7	112 SW 6 <sup>th</sup> Avenue Suite 202	123 SE 6 <sup>th</sup> Avenue Suite 200
1981	7	Sheeran	Sheehan
1981	15	Collins' Prefiled	Collins' and Robert Wood's Prefiled
1981	20	for South Texas	for South Texas Project Units 3 and 4
1981	23	Robert Wood's Prefiled	Samuel Collins' and Robert Wood's Prefiled
1983	9	States Regulatory	States Nuclear Regulatory
1984	8	Franz	Frantz
1984	11	Burdock	Burdick
1984	12	Interveners?	Intervenors?
1984	13	interveners	intervenors
1986	11	hear before	here because
1987	4	Units	Unit
1987	5	Units	Unit
1987	6	Units	Unit
1990	23	continue those of NINA and of the Interveners	consider those of NINA and of the Intervenors
1990	24	cord	accord
1991	7	hear	here
1991	18	2.315A	2.315(a)
1994	5	do	did
1995	12	witness to the party	witness or the party
1995	17	before for decision.	before us for decision.
1997	5	I can	I can't
1997	9	section	session
1997	25	to have it	to leave it
1999	18	with your	with the
1999	19	pieces	places
1999	20	TPR	STPR
1999	21	TPR Number 2	STPR-91
2000	12	proprietary, non-proprietary	proprietary and non-proprietary
2000	13	both versions	both versions admitted
2000	25	Interveners?	Intervenors?
2002	16	MR. SPENCER	MR. HARPER
2002	23	MR. SPENCER	MR. HARPER
2003	2	MR. SPENCER	MR. HARPER
2003	5	CHAIR GIBSON	MR. HARPER
2003	8	MR. SPENCER	MR. HARPER
2003	11	MR. SPENCER	MR. HARPER
2004	3	MR. SPENCER	MR. HARPER

Page	Line(s)	Current Statement	Proposed Correction
2005	5	not in a individual witnesses	not in an individual witness's experience
2006	19	pre-file	pre-filed
2006	24	pre-file	pre-filed
2007	2-4	Exhibit SEB 36, make the following change. Colon Revision 9, in parentheses Exhibit SEB 54 contains the latest OCB information	Exhibit STP 36, make the following change: COLA Revision 9 (Exhibit STP 54) contains the latest COLA information
2007	8-9	submitted it's intent with OLA on October 29, 2013, OLA	submitted COLA Revision 10 on October 29, 2013. COLA
2007	21	in	and
2007	22	Just	It's just
2007	23	pre-file	pre-filed
2007	24	see	think
2008	17	SEB	STP
2008	23	talked	discussed
2009	21	Your 38 that	Yours is 38 and
2010	2	basically we	basically because we
2011	15	step	FOCD
2012	12	ethos	those
2014	8	I mean was it	I mean was it the
2014	11	Celia Palm (phonetic)	Steve Hom
2014	21	to averaging	to AmerGen
2015	4	NOR	NRR
2015	19	Collin/Wood	Collins/Wood
2016	1	planning	claiming
2016	6-7	if paying with Europe's funding for the licensing	who would end up paying for the licensing
2017	12	roughly	primarily
2017	13	Dunkschvitz (phonetic)	Toshiba
2018	21	alien	alien,
2019	1	32	52357
2019	4	that "the	that the
2019	5	operation may	operation "may
2019	8	applications	applicants
2019	10	expert	exert
2020	12	alien foreign	alien, foreign
2020	20	relatively	relatively new process
2021	18	for	or
2022	5	though	through
2023	12	an example	example
2023	14-15	I'll go six	of the six
2023	22	Their	there
2024	8	healthy	health

Page	Line(s)	Current Statement	Proposed Correction
2024	25	healthy	health
2025	15	licensed	license
2025	22	our federal financing bank	or Federal Finance Bank
2027	6	backed that, that	backed, that that
2029	10	found	formed
2030	3	claim maintenance	\$20 million
2031	11-12	due process	costs
2034	4	might FOCD	might affect FOCD
2034	7	couldn't look at	could've looked at
2036	11	Siena (phonetic)	NINA
2036	14	governance has provided	governance as provided
2038	10-11	NRG and the U.S. owner both	NRG, the U.S. owner,
2038	13	NRG and U.S. companies decision	NRG, a U.S. company's decision
2042	7	I've	I'm
2042	11	file	follow
2042	19	not exercise, and as I read this language is not	not exercised, and as I read this language it is not
2043	7	actually done	actually been done
2044	12	exercise point	exercised point
2044	24	could explain	could you explain
2045	2	believe the	believe that
2047	6	memo	table
2047	24-25	by close project planning	by the close of project financing
2048	8	NRG	ENG
2049	8	Main Yankee	Maine Yankee
2049	16	Main Yankee's	Maine Yankee's
2049	22	Main Yankee	Maine Yankee
2050	14	difficult	typical
2050	16	what is says	what it says
2050	23	CFO	CFOs
2051	18-19	Intervenors were rebuttal	Intervenors rebuttal
2052	4	lead	led
2053	16	Intervenor's	Intervenors
2054	2	that's what requires	what is required
2054	11	contain your	continue
2054	12	contain your	continue
2055	21	Answer 69	Answer 96
2057	10	Answer 69	Answer 96
2058	6	is, "According	is, according
2058	9	dominated whenever	dominated "whenever
2058	11	exercise the direct or defined	exercised to direct or decide
2058	23	deciding	decide
2059	9	gain	continue
2059	22	ask about	add

Page	Line(s)	Current Statement	Proposed Correction
2062	14	ESCC's	USEC's
2063	6	Commission by	Commission, by
2064	25	testimony and this	testimony in this
2065	21	Enrichment facility	Enrichment Facility
2067	4	members providing a good product and way	vendors providing a good product at way
2072	4	ID-5	1D-5
2073	19	NRC Energy	NRG Energy
2074	4	it's shares	its shares
2077	1	my be	may be
2077	2	maybe non	may be none
2078	3	parent stock	parent's stock
2078	7	parent stock	parent's stock
2078	10-11	nuclear material. The	nuclear material, the
2078	15	parent stock	parent's stock
2081	1	so like to	so to
2081	20	time with NRG	time when NRG
2083	13	station	citation
2084	9	103-B	103(b)
2084	24	Subsection D	Subsection (d)
2085	3	anemicable	inimical
2085	12	21-33-D	2133(d)
2085	14	anemicable	inimical
2086	22	FEMALE PARTICIPANT	MS. SCHROEDER
2087	9	incorporation	any corporation
2087	10-11	its own control or dominated by an alien or foreign corporation or	is owned, controlled or dominated by an alien, a foreign corporation, or
2087	25	50.3	50.38
2097	10-11	Nuclear Innovation North America, LLC	the Nuclear Regulatory Commission Staff
2098	21-22	We're not trick you	We're not trying to trick you
2099	6	EBI	EdF
2099	21	application as Sandpoint's	application for Comanche Peak's
2101	3-4	Pacific Corp	PacifiCorp
2102	7	Licensing	Licensed
2102	14	Pacific Corp	PacifiCorp
2104	1	Pacific Corp	PacifiCorp
2104	6	Pacific Corp	PacifiCorp
2105	1-2	Pacific Corp	PacifiCorp
2105	12-13	Pacific Corp's	PacifiCorp's
2105	24	Pacific Corp	PacifiCorp
2106	5	Pacific Corp	PacifiCorp
2106	6	Pacific Corp	PacifiCorp

Page	Line(s)	Current Statement	Proposed Correction
2106	8	Pacific Corp	PacifiCorp
2107	1	C4	SEFOR
2107	6	NRCregulations	NRC regulations
2107	10	C4	SEFOR
2109	1	look the substance	look at the substance
2111	19	Pacific Corp	PacifiCorp
2111	20-21	Pacific Corp	PacifiCorp
2112	1	announces	analyses
2113	4	of an replacement	of and replacement
2114	20-21	replace. The main senior management team, clearly	replace the main senior management team. Clearly
2116	17	you're	your
2116	24	NRC Energy	NRG Energy
2118	11	employee	employees
2118	21	employee	employees
2119	6	field	deal
2120	5	has	has been
2121	5	part of review	part of the review
2123	25	think or	think our
2124	6	government's	governance
2126	10	that location	my recollection
2126	24	the only CENG is	only CENG has
2128	15	NINA does own	NINA doesn't own
2128	16	IS	Is
2129	17	look though	look through
2130	22	to NRC's	the NRC's
2130	23	on Unit 1	on Table 1
2131	14	who are in	who are
2132	21	information to programs	information programs
2138	2	5038	50.38
2141	7	with Judge	what Judge
2142	20	you don't need	you do need
2143	9	they're	their
2143	20	restating	restated
2145	20	dealers	deals
2145	21	PRM (phonetic)	vendors
2146	23	permission	material
2147	2	subsidy	source
2147	17	As will	And will
2148	2	for already portions	for portions
2148	15	lightly	likely
2149	1	fund reasons	contributions
2151	12	financed	finance
2151	15	if go	if I go

Page	Line(s)	Current Statement	Proposed Correction
2157	13	BTL	STP
2158	17-18	taking the developed STP as Units	attempting to develop STP Units
2158	25	ceded in	ceded its
2159	4	ceded in	ceded its
2161	4	a FASD	an SEC
2161	9	just positive	dispositive
2162	4-5	decision de-consolidate	decision to de-consolidate
2167	21	NRG	NRG.
2168	8	field's	deal's
2171	14	NYAPC	MYAPC
2171	17	determination	domination
2173	11	NINA proposed	NINA's proposed
2173	22	have per se	are per se
2173	24	caded	strayed
2174	24	Pacific Corp	PacifiCorp
2176	9	regulate industry	regulated industry
2178	19	pass, much true, the	pass muster the
2179	12	transvertical	transfer of the
2180	9	domination and standard	domination standard
2182	19	field's	deal's
2185	17	Pacific Corp	PacifiCorp
2186	11	Pacific Corp	PacifiCorp
2186	22	Pacific Corp	PacifiCorp
2187	12	Pacific Corp	PacifiCorp
2188	11	7, 2 through 68	72368
2189	4	common side	common stock
2190	3	to may	to my
2190	15	Pacific Corp	PacifiCorp
2192	5	I would dispute	I wouldn't dispute
2192	7	Pacific Corp	PacifiCorp
2192	16	Pacific Corp	PacifiCorp
2192	22	Pacific Corp	PacifiCorp
2193	19	Pacific Corp	PacifiCorp
2194	25	through our	to our
2197	14	deal com	veto
2198	15	conducting	conducted
2199	12	rights.	rights,
2201	3	that means	the NRG
2205	20	certainly portion	certainly a portion
2213	11	yes, an ultimately	yes, and ultimately
2216	20	meet	met
2218	4	back to your for	back to for your
2223	7	called	call
2230	1	Intervenors	Intervenors



Page	Line(s)	Current Statement	Proposed Correction
2230	6-7	112 SW 6 <sup>th</sup> Avenue Suite 202	123 SE 6 <sup>th</sup> Avenue Suite 200
2232	1	status	staff's
2233	7-9	15.38, it talks about an AP, which is with the Commission's notes,	50.38, it talks about an applicant the Commission knows,
2233	10	alien foreign	alien, foreign
2233	13	affect	effect
2236	5	exercise	exercised
2238	22	precedence	precedent
2240	11	have the pull	have to pull
2241	6	recommendation of	recommendation on
2245	13	character	column
2245	18	STC letter	SEC letter
2248	11	it exercise	it to exercise
2251	11	by dint of	by Toshiba
2252	9	In CFR	10 CFR
2252	25	50.81	50.80
2258	3	domination control	domination or control
2258	14	could to go	could go
2258	15	is a Collins	is Collins
2260	11	column on	column is on
2261	6	these loans	those loans
2262	4	review	review.
2262	9	decision	decisions
2263	13	program provided the NRC	program, provided to the NRC,
2264	1	we can get	we can't get
2264	6	applicant is	applicant has
2264	7	of foreign	with foreign
2264	8	and said con	in the second column
2264	21	Meeting	Meetings
2264	22	keepers now	the CFO
2265	22	mean operating	NINA operating
2266	10	infamous	impermissible
2268	5	directorates	directors
2269	4	directorates	directors
2269	16	it's	its
2271	15	FEMALE PARTICIPANT	MS. SCHROEDER
2274	3	constructor	been structured
2274	19	once project	once the project
2275	10	52416	57416
2276	13	A1	(a)(1)
2278	18	basement	basemat
2280	5	involved	involve
2280	22	perhaps of	perhaps if
2281	5	structure	structures

Page	Line(s)	Current Statement	Proposed Correction
2282	25	statement position	statement of position
2284	2	Passively	Positively
2284	4	were late	were related
2288	17-18	the inner related	the inter-related
2291	2	this on public	this out of public
2291	5	NRC FAR	NRCR
2291	8	main	NINA
2291	24	He	he
2295	3	Page 33	Pages 33
2295	12	and	an
2297	4	And	Is
2298	6	they way	the way
2300	2	the main Yankee	Maine Yankee
2300	7	facility's reply	Collins/Wood testimony
2300	22	about and event	about an event
2304	19	sworn	foreign
2308	14	fiasco	security one
2308	15-16	But we're trying to find ways, Your Honor.	MR. EYE: But we're trying to find ways, Your Honor.
2309	12	it	is
2312	10	operation	construction
2314	20	control of the indirect	control may be indirect
2315	21	Calvet	Calvert
2317	6	STP	SRP
2317	7	dead-end	debt and
2321	24	accepted. Is	accepted." Is
2322	4-5	for DOE	for a DOE
2322	15-16	get a NOC	I am not
2324	1	2 and 3	3 and 4
2324	9	monitor your	monitor their
2326	11	concerned	concern
2327	7	NRC	NINA
2329	25	structured, if	structured,
2331	24	to NCFR 5080	10 CFR 50.80
2335	22	assertion that	assertion that the
2336	14	error	letter
2337	24	number of	number at
2338	13	the to approve	the right to approve
2339	3	these set	this set
2340	23	make I	make sure I
2341	5	transfer control	transfer of control
2343	10	RIS	risk
2343	13	RIS	risk
2346	7	intervenors	intervenors

Page	Line(s)	Current Statement	Proposed Correction
2350	6-7	112 SW 6 <sup>th</sup> Avenue Suite 202	123 SE 6 <sup>th</sup> Avenue Suite 200
2353	2	MS. OPREA	MS. SCHROEDER
2353	15	Whether	“Whether
2353	18	Applicant.	Applicant.”
2353	25	MS. OPREA	MS. SCHROEDER
2353	25	you can’t open	you can open
2354	1	redactor	redacted
2354	20	11	eleven
2354	21-22	411, I should have said 411, sorry.	4.11, I should have said 4.11, sorry.
2355	10	intervenors	intervenors’
2355	24	every	other
2356	16	we	it
2356	18	applications	application’s
2356	20	said	say
2357	5	MS. OPREA	MS. SCHROEDER
2359	23	controller	control or
2360	3	NINA is control	NINA is in control
2360	8	in negation	in the negation
2360	9	CEO’s	CEO
2360	24	and	than
2361	8	effect	affect
2361	16	vendor	vendors
2361	17	kind	kinds
2362	12	you know, a	you know,
2362	18	say	said
2362	22-23	STP and OC	STPNOC
2364	12	request	requests
2365	16	indicative	answer to the
2365	17	brought Brian	explain
2366	16	from TANE	from the TANE
2366	22	floor	Fluor
2366	24	attorney	the
2367	9	actually	actual
2368	8	brine	wind
2370	25	floor	Fluor
2371	8	discussed	discussing
2372	2	to boat	of the vote
2372	18	additionally	additional
2373	11	presumable	presumably
2374	14	2001 through issuance of the COLA’s	2011 through issuance of the COLs
2374	17	COLA’s	COLs
2374	21	lands	lends
2375	11	his	this

Page	Line(s)	Current Statement	Proposed Correction
2375	15	works	work is
2376	11	a invoice	an invoice
2376	15	than	then
2377	18	loans	loan
2378	2	Scott, head of NINA, that	Scott Head of NINA that
2378	7	graph	draft
2378	14	graph	draft
2378	17	graph	draft
2378	24	graph	draft
2379	5	than	then
2382	6	Financing	Finance Bank
2383	15	own	loan
2384	3	phone	loan
2385	13	what	what's
2385	18	borne proof	borne fruit
2385	20	prospective	perspective
2386	16	There is	There has
2386	22	boren proof	borne fruit
2386	25	Be more	We're more
2387	18	regulatory's	return is
2388	1	KP&G	KPMG
2388	16	early	earlier
2390	20	position. The	position, the
2390	21	NRG,	NRG
2391	1	Sam	Staff
2391	4	NRG,	NRG
2391	18	NRG,	NRG
2393	14	NRG,	NRG
2394	4	have work	have to work
2394	22	ownerships	ownership
2394	25	form	from
2395	17	we allege	they allege
2396	5	land water	land and water
2396	10	RIA	RAI
2396	12	RIA	RAI
2397	2	million	billion
2397	9-10	had to fight	had the right to
2398	10	date	right
2400	6	this sciences	the resources
2401	6	Item 3C	Item (iii)(C)
2402	7	NRC	NINA
2404	12	because of	because it's
2405	7	provided	providing
2417	10	Section 5.1D	Section 5.1(d)

Page	Line(s)	Current Statement	Proposed Correction
2417	12	5.1D(3)	5.1(d)(iii)
2418	1	5.1D(3)	5.1(d)(iii)
2428	15	2.4. That	2.4.” That
2429	2	don’t where	don’t know where
2434	24	significance	significant
2436	7	just positive	dispositive
2439	15	speculated	speculative
2444	10	deposited	dispositive
2445	5	MAPs	facts
2448	5	C?	(g)?
2448	24	reporting by the	report entitled
2463	17	then	the
2466	3	TANE by	TANE be
2468	10	5D(2)(g)	5.1(d)(ii)(G)
2468	14	5D(2)(g)	5.1(d)(ii)(G)
2470	8	5D(2)(a)	5.1(d)(ii)(A)
2471	25	ADC	AEC
2475	19	that	if
2479	23	and both	and I both
2480	7	in in	in a
2484	6-7	112 SW 6 <sup>th</sup> Avenue Suite 202	123 SE 6 <sup>th</sup> Avenue Suite 200
2485	5	68	2549
2487	22	formulation	formation
2493	7	restrictive in	restrictive than
2496	9	tie-in	time
2498	2	designing the case	the Zion case
2498	7	course	case
2501	22	of a	of the
2502	24	statement and position	statement of position
2503	8	Frantz Well,	Frantz: Well,
2503	18	fact and circumstance	facts and circumstances
2507	6	budgets	budget
2508	10	5.D	5.1(d)
2509	23	SC-1	FC-1
2510	16	Okay. Your Honor,	Okay, your Honor.
2511	3	Mainly	Namely
2512	1	They’re writing off	Their writing off
2512	2	in their statements	and their statements
2512	18	provided	provides
2513	11	for giving	or given
2513	16	A;	(A)
2513	18	B;	(B)
2513	20	C;	(C)
2513	21	that to equity	debt to equity

Page	Line(s)	Current Statement	Proposed Correction
2514	4	non-controlled shareholder	non-controlling shareholder
2514	13	withdrawal	withdraw
2515	9	of the project	in the project
2516	14	that the staff's	but the staff's
2518	24	private fuel storage	Private Fuel Storage
2519	3	private fuel storage	Private Fuel Storage
2519	19	past	act
2520	1	NRC	SRP
2520	17	commission	Commission
2520	18	hydroresources	Hydro Resources
2521	1	perspective	prospective
2521	3	hydroresources	Hydro Resources
2521	19	hydroresources	Hydro Resources
2521	21	why is the first –	why is the – first,
2522	1	finding not issued in the COL	finding to issue the COL
2522	15	intervenors describe	applicant describes
2522	23	providing	provide
2523	6	Hydroresources	Hydro Resources
2523	9	hydroresources	Hydro Resources
2523	14	private fuel storage	Private Fuel Storage
2523	18	an administerial	a ministerial
2524	4	private fuel storage	Private Fuel Storage
2525	4	seed	seek
2525	22	Hydroresources	Hydro Resources
2525	23	Hydroresources	Hydro Resources
2526	8-9	private fuel storage	Private Fuel Storage
2526	11	Hydroresources	Hydro Resources
2526	15	hydroresources	Hydro Resources
2526	22	hydroresources	Hydro Resources
2526	25	hydroresources	Hydro Resources
2527	9	hydroresources	Hydro Resources
2528	9	hydroresources	Hydro Resources
2530	7	precedence	precedents
2530	11	precedence	precedents
2531	16	address a	addressed at
2531	23	elimination of	elimination or
2535	15	Mainly	Namely
2546	19	alien foreign	alien, foreign
2549	18	hydroresources	Hydro Resources
2549	22	extinguished	distinguished
2550	1	some award is	the word “is”
2550	5	deficiency and we	deficiency. Let me
2550	9	address, change	address changed
2551	8	we see	we ceded

Page	Line(s)	Current Statement	Proposed Correction
2551	11	following	filing
2551	22	solely	simply
2552	2	NRG, the	NRG, and the
2552	18	precedence involving other cases to	precedent involving other cases do
2552	19	control, but the precedence	control. But looking at the precedents
2552	20	table. And	table,
2553	2	precedence	precedents
2553	3	and the Act	and if a NAP
2553	7	hydroresources	Hydro Resources
2553	11	funding	finding
2556	3	file	filing
2556	7	MR. SPENCER	MR. FRANTZ
2559	13	had an	had no
2559	14	respond at	respond, at

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

_____	)	
In the Matter of	)	Docket Nos. 52-012-COL
	)	52-013-COL
NUCLEAR INNOVATION NORTH AMERICA LLC	)	
	)	
(South Texas Project Units 3 and 4)	)	January 22, 2014
_____	)	

**CERTIFICATE OF SERVICE**

I hereby certify that on this date a copy of “Joint Proposed Transcript Corrections for Evidentiary Hearing on Contention FC-1” was submitted through the NRC’s E-filing system.

*Signed (electronically) by Stephen J. Burdick*

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