

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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In the Matter of )

DTE ELECTRIC CO. )

(Fermi Nuclear Power Plant, Unit 3) )

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Docket No. 52-033-COL

**ORDER**

The Atomic Safety and Licensing Board's request for *sua sponte* review is currently pending before the Commission.<sup>1</sup> Because the issues raised in Intervenor's Contention 23 are intertwined with the Board's request, the deadline to file petitions for review of the Board's dismissal of that contention (as originally proposed and resubmitted) is hereby amended.<sup>2</sup> Petitions for review of the Board's dismissal of Contention 23 for lack of timeliness are due twenty-five days from the date of this order. Answers may be filed no later than twenty-five days thereafter. Petitions and answers may not exceed thirty pages each and must conform to the formatting requirements of 10 C.F.R. § 2.341(c)(3). Replies, not to exceed five pages, may be filed within ten days of service of any answer.

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<sup>1</sup> See LBP-14-9, 80 NRC \_\_ (July 7, 2014) (slip op.).

<sup>2</sup> See Licensing Board Memorandum and Order (Denying Intervenor's Motion for Resubmission of Contentions 3 and 13, for Resubmission of Contention 23 or its Admission as a New Contention, and for Admission of New Contentions 26 and 27), at 21-22 (Apr. 30, 2013) (unpublished); LBP-12-12, 75 NRC 742, 775-76, 780 (2012); see *generally* 10 C.F.R. § 2.341.

This order is issued pursuant to my authority under 10 C.F.R. § 2.346(a) and (j).

IT IS SO ORDERED.

For the Commission

**NRC SEAL**

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Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland,  
this 10<sup>th</sup> day of September 2014.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER OF THE SECRETARY** have been served upon the following persons by Electronic Information Exchange.

U.S. Nuclear Regulatory Commission  
Office of Commission Appellate Adjudication  
Mail Stop: O-7H4  
Washington, DC 20555-0001  
[ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the Secretary of the Commission  
Mail Stop: O-16C1  
Washington, DC 20555-0001  
Hearing Docket  
[hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

Atomic Safety and Licensing Board Panel  
Mail Stop: T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop: O-15D21  
Washington, DC 20555-0001  
Marcia Carpentier, Esq.

Ronald M. Spritzer, Chair  
Administrative Judge  
[ronald.spritzer@nrc.gov](mailto:ronald.spritzer@nrc.gov)

[marcia.carpentier@nrc.gov](mailto:marcia.carpentier@nrc.gov)

Anthony Baratta  
Administrative Judge  
[anthony.baratta@nrc.gov](mailto:anthony.baratta@nrc.gov)

Sara Kirkwood, Esq.  
[sara.kirkwood@nrc.gov](mailto:sara.kirkwood@nrc.gov)

Patrick Moulding, Esq.  
[patrick.moulding@nrc.gov](mailto:patrick.moulding@nrc.gov)

Randall J. Charbeneau  
Administrative Judge  
[randall.charbeneau@nrc.gov](mailto:randall.charbeneau@nrc.gov)

Kevin Roach, Esq.  
[kevin.roach@nrc.gov](mailto:kevin.roach@nrc.gov)

Michael Spencer, Esq.  
[michael.spencer@nrc.gov](mailto:michael.spencer@nrc.gov)

Robert M. Weisman, Esq.  
[robert.weisman@nrc.gov](mailto:robert.weisman@nrc.gov)

Matthew Zogby, Law Clerk  
[matthew.zogby@nrc.gov](mailto:matthew.zogby@nrc.gov)

Anthony Wilson, Esq.  
[anthony.wilson@nrc.gov](mailto:anthony.wilson@nrc.gov)

Megan Wright, Esq.  
[megan.wright@nrc.gov](mailto:megan.wright@nrc.gov)  
Nicholas Koontz, Paralegal  
[nicholas.koontz@nrc.gov](mailto:nicholas.koontz@nrc.gov)

OGC Mail Center: Members of this office have received a copy of this filing by EIE service.

**ORDER OF THE SECRETARY**

Detroit Edison Company  
One Energy Plaza, 688 WCB  
Detroit, Michigan 48226  
Bruce R. Maters, Esq.  
[matersb@dteenergy.com](mailto:matersb@dteenergy.com)

Winston & Strawn, LLP  
1700 K Street, NW  
Washington, DC 20006-3817  
Counsel for the Applicant  
Noelle Formosa, Esq.  
[nformosa@winston.com](mailto:nformosa@winston.com)  
David Repka, Esq.  
[drepka@winston.com](mailto:drepka@winston.com)  
Tyson R. Smith, Esq.  
[trsmith@winston.com](mailto:trsmith@winston.com)  
Carlos L. Sisco, Senior Paralegal  
[CSisco@winston.com](mailto:CSisco@winston.com)

Nuclear Energy Institute  
1201 F Street NW  
Suite 1100  
Washington, DC 20004  
Jonathan Rund, Esq.  
[jmr@nei.org](mailto:jmr@nei.org)

Beyond Nuclear, Citizens for Alternatives  
To Chemical Contamination, Citizens  
Environmental, Alliance of Southwestern  
Ontario, Don't Waste Michigan, Sierra Club,  
et al.

316 N. Michigan Street, Suite 520  
Toledo, OH 43604-5627  
Terry J. Lodge, Esq.  
[tjlodge50@yahoo.com](mailto:tjlodge50@yahoo.com)  
Michael J. Keegan, Esq.  
[mkeeganj@comcast.net](mailto:mkeeganj@comcast.net)

Beyond Nuclear  
Reactor Oversight Project  
6930 Carroll Avenue Suite 400  
Takoma Park, MD 20912  
Paul Gunter, Director  
[paul@beyondnuclear.org](mailto:paul@beyondnuclear.org)

[Original signed by Clara Sola \_\_\_\_\_]  
Office of the Secretary of the Commission

Rockville, Maryland  
September 10, 2014