

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

E. Roy Hawken, Chairman
Dr. Michael F. Kennedy
Dr. William C. Burnett

In the Matter of

FLORIDA POWER & LIGHT COMPANY

(Turkey Point Units 6 and 7)

Docket Nos. 52-040-COL
and 52-041-COL

ASLBP No. 10-903-02-COL-BD01

November 23, 2016

ORDER

(Granting Extension to File Petition to Intervene and Request for a Hearing)

The Board hereby grants the motion filed by Citizens Allied for Safe Energy, Inc. ("CASE") for an extension to file a Petition to Intervene and Request for a Hearing.¹ The petition shall be filed by 1:00 P.M. EST on Monday, November 28, 2016.

Consistent with the request of both FPL and the NRC Staff, we limit this extension to CASE alone, because the circumstances necessitating the delay are unique to CASE. Additionally, consistent with the Final Scheduling Order, FPL and the NRC Staff have 20 days from the filing of a petition to answer. See Final Scheduling Order (Nov. 15, 2016) (unpublished), amended by Order (Amending Final Scheduling Order) (Nov. 22, 2016) (unpublished).

¹ See [CASE] Motion Requesting Additional Time to File a Petition to Intervene (Nov. 22, 2016). Florida Power & Light Company ("FPL") opposed CASE's motion; the NRC Staff did not oppose it. See [FPL's] Answer to CASE's Request for Extension of Time (Nov. 22, 2016); NRC Staff Response to [CASE] Motion Requesting Additional Time to File a Petition to Intervene (Nov. 22, 2016).

In granting CASE's extension request, we have taken into consideration CASE's pro se status. See S.C. Electric & Gas Co. (Virgil C. Summer Nuclear Station, Units 2 and 3), CLI-10-1, 71 NRC 1, 6 (2010). However, because this case is on track for an evidentiary hearing, the Board will look with disfavor on future requests for exceptions to the established scheduling deadlines unless they clearly satisfy the "good cause" standard. See 10 C.F.R. § 2.307(a). As the Commission has admonished, pro se litigants "are still expected to comply with our procedural rules." Id.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

E. Roy Hawkens, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
November 23, 2016

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
FLORIDA POWER & LIGHT COMPANY)	Docket Nos. 52-040 and 52-041-COL
(Juno Beach, Florida))	
)	
(Turkey Point, Units 6 & 7))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the **ORDER (Granting Extension to File Petition to Intervene and Request for a Hearing)** 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

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop: O-16C1
Washington, DC 20555-0001
hearingdocket@nrc.gov

U.S. Nuclear Regulatory Commission
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-15 D21
Washington, DC 20555-0001

E. Roy Hawken
Administrative Judge, Chair
roy.hawken@nrc.gov

Sara Kirkwood, Esq.
sara.kirkwood@nrc.gov
Patrick Moulding, Esq.
patrick.moulding@nrc.gov
Michael Spencer, Esq.
michael.spencer@nrc.gov
Robert Weisman, Esq.
robert.weisman@nrc.gov

Dr. Michael F. Kennedy
Administrative Judge
michael.kennedy@nrc.gov

Christina England, Esq.
christina.england@nrc.gov
Anthony C. Wilson, Esq.
anthony.wilson@nrc.gov
Olivia J. Mikula
Olivia.Mikula@nrc.gov

Dr. William C. Burnett
Administrative Judge
william.burnett2@nrc.gov

Jennifer E. Scro, Law Clerk
Jennifer.Scro@nrc.gov

Kimberly Hsu, Law Clerk
kimberly.hsu@nrc.gov

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

Turkey Point, Units 6 and 7, Docket Nos. 52-040 and 52-041-COL

ORDER (Granting Extension to File Petition to Intervene and Request for a Hearing)

Florida Power & Light Company
700 Universe Blvd.
Juno Beach, Florida 33408
Nextera Energy Resources
William Blair, Esq.
william.blair@fpl.com

Florida Power & Light Company
801 Pennsylvania Ave. NW Suite 220
Washington, DC 20004
Steven C. Hamrick, Esq.
steven.hamrick@fpl.com

Pillsbury, Winthrop, Shaw, Pittman, LLP
1200 Seventeenth Street, N.W.
Washington, DC 20036-3006
Michael G. Lepre, Esq.
michael.lepre@pillsburylaw.com
John H. O'Neill, Esq.
john.oneill@pillsburylaw.com
David R. Lewis, Esq.
david.lewis@pillsburylaw.com
Timothy J. V. Walsh, Esq.
timothy.walsh@pillsburylaw.com
Anne Leidich, Esq.
ann.leidich@pillsburylaw.com

Counsel for Mark Oncavage, Dan Kipnis,
Southern Alliance for Clean Energy (SACE),
and National Parks Conservation Association
Everglades Law Center, Inc.
3305 College Avenue
Ft. Lauderdale, Florida 33314
Jason Totoiu, Esq.
jason@evergladeslaw.org

Counsel for Mark Oncavage, Dan Kipnis,
Southern Alliance for Clean Energy (SACE),
and National Parks Conservation
Association
Turner Environmental Law Clinic
Emory University School of Law
1301 Clifton Rd. SE
Atlanta, GA 30322
Mindy Goldstein, Esq.
magolds@emory.edu

Counsel for the Village of Pinecrest
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, FL 32308
William C. Garner, Esq.
bgarner@ngn-tally.com
Gregory T. Stewart, Esq.
gstewart@ngnlaw.com

Matthew Haber, Esq., Assistant City Attorney
Kerri McNulty, Esq.
Xavier Alban, Esq.
The City of Miami
444 SW 2nd Avenue
Miami, FL 33130
mshaber@miamigov.com
klmcnulty@miamigov.com
xealban@miamigov.com

Citizens Allied for Safe Energy, Inc.
10001 SW 129 Terrace
Miami, FL 33176
Barry White
bwtamia@bellsouth.net

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

Dated at Rockville, Maryland,
this 23rd day of November 2016