

Ruth Nettles

090009-EI

**From:** Jamie Whitlock [jwhitlock@enviroattorney.com]  
**Sent:** Tuesday, August 25, 2009 1:35 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Bryan.Anderson@fpl.com; Lisa Bennett; jbrew@bbrslaw.com; Jennifer Brubaker; john.burnett@pgnmail.com; jessica.cano@fpl.com; janusman@att.net; alex.glenn@pgnmail.com; mjh@talisman-intl.com; Ljacobs50@comcast.net; vkaufman@kagmlaw.com; paul.lewisjr@pgnmail.com; shayla.mcneill@tyndall.af.mil; jmcwhirter@mac-law.com; RMiller@pcsphosphate.com; jmoyle@kagmlaw.com; Charles Rehwinkel; eroach@mcguirewoods.com; Stright, Lisa; ataylor@bbrslaw.com; hthompson@talisman-intl.com; Tibbetts, Arlene; Jamie Whitlock; Anna Williams; Keino Young; Walls, J. Michael; Triplett, Dianne; Bernier, Matthew R.  
**Subject:** Docket 09-00090EI: Notice of Filing of Supplemental Exhibit AG-9  
**Attachments:** Notice of Filing Supplemental Exhibit AG-9.pdf

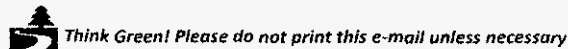
a. Person Responsible for Filing

James S. Whitlock  
 Gary A. Davis & Associates  
 Attorneys at Law  
 61 North Andrews Avenue  
 P.O. Box 649  
 Hot Springs, N.C. 28743

- b. Docket No. 090009-EI, In Re: Nuclear Plant Cost Recovery Clause
- c. Filed on behalf of Southern Alliance for Clean Energy, Inc. (SACE)
- d. Total Pages = 7
- e. SACE's Notice of Filing of Supplemental Exhibit AG-9

James S. Whitlock  
 Gary A. Davis & Associates  
 Attorneys at Law  
 61 North Andrews Avenue  
 P.O. Box 649  
 Hot Springs, N.C. 28743  
 (P) (828) 622-0044  
 (F) (828) 622-7610  
 Email: [jwhitlock@enviroattorney.com](mailto:jwhitlock@enviroattorney.com)  
 Web: [www.enviroattorney.com](http://www.enviroattorney.com)

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DOCUMENT NUMBER-DATE  
 08844 AUG 25 8  
 FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

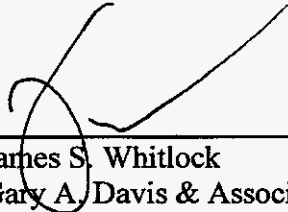
**In re: Nuclear Plant Cost  
Recovery Clause**

**DOCKET NO. 090009-EI  
FILED: August 25, 2009**

**SOUTHERN ALLIANCE FOR CLEAN ENERGY'S NOTICE OF FILING OF  
SUPPLEMENTAL EXHIBIT AG-9**

The Southern Alliance for Clean Energy ("SACE"), by and through counsel, respectfully gives notice of filing of supplemental Exhibit AG-9 (attached hereto) in the above-styled docket. This filing is made pursuant to the agreement of SACE and Progress Energy Florida ("PEF"), which agreement is referenced in the transcript of the Prehearing Conference at pp. 6-9.

This the 25<sup>th</sup> day of August, 2009.

  
\_\_\_\_\_  
James S. Whitlock  
Gary A. Davis & Associates  
61 North Andrews Avenue  
PO Box 649  
Hot Springs, NC 28779  
(828) 622-0044

*Counsel for SACE*

DOCUMENT NUMBER-DATE

08844 AUG 25 8

FPSC-COMMISSION CLERK

July 28, 2009

Alex S. Karlin, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Anthony J. Baratta  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

William M. Murphy  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
Progress Energy Florida, Inc.  
(Levy County Nuclear Site, Units 1 and 2)  
Docket Nos. 52-029 and 52-030

Dear Administrative Judges

Pursuant to the Board's July 10, 2009 Order, the Staff hereby submits its written estimate of the projected review schedule for the Progress Energy Levy COL application.

Pursuant to the current published schedule, the Staff would issue its Advanced Final Safety Evaluation Report with no open items on September 30, 2010. The Staff would issue its Final Safety Evaluation Report on May 5, 2011. The Staff does not anticipate publishing a draft safety evaluation report. Some applicant RAI responses, particularly in geotechnical review areas, have required additional time than is assumed in the current published safety review schedule. In addition, the AP1000 design certification and Vogtle R-COLA review schedules were recently revised. The NRC staff is currently assessing the impacts to the safety review schedule from these changes and anticipates that the schedule for the Levy COL safety review will change.

Pursuant to the current published schedule, the Staff would issue its draft Environmental Impact Statement on October 26, 2009. The Staff would issue its final Environmental Impact Statement on September 22, 2010. Some applicant RAI responses have required additional time than is assumed in the current published environmental review schedule. The Staff is currently assessing the impacts to the environmental review schedule from this delay, and anticipates that the schedule for the Levy COL environmental review will change.

Respectfully submitted,

/signed (electronically) by/  
Sara B. Kirkwood  
Counsel for the NRC Staff

DOCUMENT NUMBER-DATE

08844 AUG 25 8

FPSC-COMMISSION CLERK

NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
)  
)  
PROGRESS ENERGY FLORIDA, INC. ) Docket Nos. 52-029 and 52-030  
)  
)  
(Levy County Nuclear Site, Units 1 and 2) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff's letter regarding the projected review schedule for the Progress Energy Levy COL application has been served on the following persons by Electronic Information Exchange on this 28th day of July, 2009:

Administrative Judge  
Alex S. Karlin, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: Alex.Karlin@nrc.gov

Office of Commission Appellate  
Adjudication  
Mail Stop O-16C1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: OCAAmal@nrc.gov

Administrative Judge  
Anthony J. Baratta  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: Anthony.Baratta@nrc.gov

Office of the Secretary  
ATTN: Docketing and Service  
Mail Stop: O-16C1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: HEARINGDOCKET@nrc.gov

Administrative Judge  
William M. Murphy  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: William.Murphy@nrc.gov

Megan Wright  
Law Clerk  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: megan.wright@nrc.gov

Cara Campbell  
The Ecology Party of Florida  
641 SW 6<sup>th</sup> Ave  
Ft. Lauderdale, FL 33315  
E-Mail: levynuke@ecologyparty.org

Michael Canney  
The Green Party of florida  
Alachua County Office  
PO Box 12416  
Gainesville, FL 32604  
E-mail: alachuagreen@windstream.net

Mary Olson  
NIRS Southeast  
PO Box 7586  
Asheville, NC 28802  
E-mail: nirsnet@nirs.org  
John H. O'Neill, Esq.  
Robert B. Haemer, Esq.  
Counsel for Progress Energy Florida, Inc.  
Pillsbury, Winthrop, Shaw, Pittman, LLP  
2300 N. Street, NW  
Washington, DC 20037-1122  
E-mail: john.O'Neill@pillsburylaw.com  
Robert.haemer@pillsburylaw.com

/Signed (electronically) by/

Sara B. Kirkwood  
Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(301) 415-8393  
Sara.Kirkwood@nrc.gov

Dated at Rockville, Maryland  
this 28th day of July, 2009

**CERTIFICATE OF SERVICE**

**Docket No. 090009**

I HEREBY CERTIFY that a true and correct copy of the foregoing **NOTICE OF FILING OF EXHIBIT AG-9** has been furnished by electronic mail (e-mail) and/or U.S. Mail this the 25<sup>th</sup> day of August, 2009.

Captain Shayla L. McNeill  
AFLOA/JACL-ULT  
AFCESA  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, FL 32403  
shayla.mcneill@tyndall.af.mil

**Brickfield Law Firm**  
James W. Brew/F. Alvin Taylor  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, DC 20007  
jbrew@bbrslaw.com

**Carlton Fields Law Firm**  
J. Michael Walls/Diane M. Tripplett  
P. O. Box 3239  
Tampa, FL 33601-3239  
mwalls@carltonfields.com

**Florida Power & Light Company**  
Mr. Wade Litchfield  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1859  
wade\_litchfield@fpl.com

**Office of Public Counsel**  
J. R. Kelly/C. Beck/C. Rehwinkel  
c/o The Florida Legislature  
111 W. Madison Street, Room 812  
Tallahassee, FL 32399-1400

**PCS Administration (USA), Inc.**  
Karin S. Torain  
Suit 400  
1101 Skokie Boulevard  
Northbrook IL 60062  
KSTorain@potashcorp.com

**Progress Energy Florida, Inc.**  
Mr. Paul Lewis, Jr.  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301-7740  
paul.lewisjr@pgnmail.com

**Progress Energy Service Company, LLC**  
John T. Burnett/R. Alexander Glenn  
P. O. Box 14042  
St. Petersburg, FL 33733-4042  
john.burnett@pgnmail.com

**Southern Alliance for Clean Energy, Inc.**  
c/o Williams Law Firm  
E. Leon Jacobs, Jr.  
1720 S. Gadsden Street MS 14, Suite 20  
Tallahassee, FL 32301  
Ljacobs50@comcast.net

**White Springs Agricultural Chemicals, Inc.**  
Randy B. Miller  
P. O. Box 300  
White Springs, FL 32096  
RMiller@pcsphosphate.com

**Florida Industrial Power Users Group**  
John W. McWhirter, Jr.  
c/o McWhirter Law Firm  
P. O. Box 3350  
Tampa, FL 33601  
jmcwhirter@mac-law.com

**Honorable Charles S. Dean**  
Senate Majority Whip  
311 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100


**Honorable Mike Fasano**  
8217 Massachusetts Ave.  
New Port Richey, FL 34653

**Keefe Law Firm**  
Vicki Gordon Kaufmann/Jon C. Moyle, Jr.  
118 North Gadsden Street

Tallahassee, FL 32301  
vkaufman@kagmlaw.com

**Mark Ballast**  
2965 Longbrooke Way  
Clearwater, FL 33760  
X7525w@yahoo.com

**Saporito Energy Consultants**  
Thomas Saporito  
P. O. Box 8413  
Jupiter, FL 33468-8413  
SaporitoEnergyConsultants@gmail.com



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James S. Whitlock  
Counsel for SACE