

January 31, 2006

MEMORANDUM FOR: John F. Cordes, Director
Office of Commission Appellate Adjudication

Karen D. Cyr
General Counsel

FROM: Andrew L. Bates, Acting Secretary */RA/*

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:25 A.M., TUESDAY, JANUARY 31, 2006,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

I. SECY-05-0230 - FirstEnergy Nuclear Operating Co. (Beaver Valley Power Station, Unit Nos. 1&2; Davis Besse Power Station, Unit No. 1; Perry Nuclear Power Plant, Unit No. 1), Docket Nos. 50-334-LT, 50-346-LT, 50-412-LT, & 50-440-LT

The Commission approved a Memorandum and Order responding to petitions to intervene by American Municipal Power-Ohio, Inc., (AMP-Ohio) and the City of Cleveland related to FirstEnergy Nuclear Operating Company's license transfers. The Memorandum and Order finds the petitioners lack standing, denies their petitions to intervene, and terminates this adjudicatory proceeding.

(Subsequently, on January 31, 2006, the Secretary signed the Memorandum and Order.)

II. SECY-06-0002 - Private Fuel Storage (Independent Spent Fuel Storage Installation) Docket No. 72-22-ISFSI

The Commission approved a Memorandum and Order responding to a motion by the State of Utah to reopen the adjudicatory record to litigate its proposed Contention Utah UU (Ramifications of DOE's Refusal to Accept Fuel in Welded Canisters from the PFS Site.) The Memorandum and Order denies Utah's motion in its entirety. Commissioner Jaczko abstained in this matter.

(Subsequently, on January 31, 2006, the Secretary signed the Memorandum and Order.)

III. SECY-06-0005 - Motion to Reopen the Millstone License Renewal Proceedings Filed by Connecticut Coalition Against Millstone

The Commission approved a Memorandum and Order responding to a motion by the Connecticut Coalition Against Millstone to reopen the Millstone license renewal proceeding. Commissioner Jaczko voted to approve a different version of the order. The Memorandum and Order denies the Connecticut Coalition Against Millstone's motion and renders moot their request for leave to submit an amended petition to intervene. In addition, the Memorandum and Order directs the Office of the Secretary not to accept for filing or docketing any pleading signed by Ms. Nancy Burton that does not conform to the NRC's rules of practice.

(Subsequently, on January 31, 2006, the Secretary signed the Memorandum and Order.)

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
EDO
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR