

June 28 , 2007

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

FROM: Annette L. Vietti-Cook, Secretary /RA/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 12:55 P.M., THURSDAY, JUNE 28, 2007,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN
TO PUBLIC ATTENDANCE)¹

I. SECY-07-0097 - Consumers Energy Co. (Big Rock Point ISFSI); License Transfer Application; Petition for Reconsideration of CLI-07-19

The Commission approved a Memorandum and Order responding to a Petition for Reconsideration of CLI-07-19, which denied the Request for Hearing and Petition to Intervene filed by Mr. Victor McManemy, the Nuclear Information and Resource Service, and Don't Waste Michigan. The Memorandum and Order denies the petitioners' Petition for Reconsideration.

(Subsequently, on June 28, 2007, the Secretary signed the Memorandum and Order.)

II. SECY-07-0098 - Consumers Energy Company, et Al. (Palisades Nuclear Plant); License Transfer Application; Petition for Reconsideration

The Commission approved a Memorandum and Order responding to a Petition for Reconsideration of CLI-07-18, which denied the Petition to Intervene filed by the Michigan Environmental Council and the Public Interest Research Group in Michigan. The Memorandum and Order denies the petitioners' Petition for Reconsideration and dismisses this adjudicatory proceeding.

(Subsequently, on June 28, 2007, the Secretary signed the Memorandum and Order.)

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

1 Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Merrifield was not present when this item was affirmed. Accordingly the formal vote of the Commission was 4-0 in favor of the decision. Commissioner Merrifield, however, had previously indicated that he would approve these Orders and had he been present he would have affirmed his prior vote.