

February 14, 2003

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

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

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:30 A.M.,  
FRIDAY, FEBRUARY 14, 2003, COMMISSIONERS'  
CONFERENCE ROOM, ONE WHITE FLINT NORTH,  
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-03-0014 - Pacific Gas and Electric Co. (Diablo Canyon Power Nuclear Plant, Units 1 and 2), Docket Nos. 50-275-LT, 50-323-LT

The Commission<sup>1</sup> approved a Memorandum and Order responding to petitioners' technical, financial and antitrust claims related to the license transfer application submitted by Pacific Gas and Electric Company to transfer the operating licenses of the two-unit Diablo Canyon Nuclear Power Plant to newly created entities. The Memorandum and Order rejects the petitioners' claims and terminates the proceeding.

(Subsequently, on February 14, 2003, the Secretary signed the Memorandum and Order.)

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

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<sup>1</sup> 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." Chairman Meserve and Commissioners McGaffigan and Merrifield were present in the Conference Room. Commissioner Dicus participated in the meeting via speakerphone. Commissioner Diaz was not present when this item was affirmed. Accordingly the formal vote of the Commission was 4-0 in favor of the decision. Commissioner Diaz, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.