

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
Friday, February 14, 2003

The Commission met in open session, pursuant to notice, at 9:30 a.m.

Richard A. Meserve, Chairman, presiding.

COMMISSIONERS PRESENT:

RICHARD A. MESERVE, Chairman

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE L. VIETTI-COOK, Secretary

STEPHEN G. BURNS, Office of the General Counsel

COMMISSIONER DICUS participated in the meeting via speakerphone.

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on February 14, 2003 in the Commission's office at One White Flint North, Rockville, Maryland. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

[9:30 a.m.]

P R O C E E D I N G S

CHAIRMAN MESERVE: Good morning. We are here for an affirmation session. I believe we have Commissioner Dicus on the telephone.

COMMISSIONER DICUS: That's right.

CHAIRMAN MESERVE: Madam Secretary, you may proceed.

MS. VIETTI-COOK: The Commission is being asked to act on a Memorandum and Order responding to the 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 Commission has voted to approve a Memorandum and Order which rejects the petitioners' claims and terminates the proceeding. Would you please affirm your votes?

CHAIRMAN MESERVE: Aye

COMMISSIONER MCGAFFIGAN: Aye

COMMISSIONER MERRIFIELD: Aye

MS. VIETTI-COOK: Commissioner Dicus would you please affirm your vote?

COMMISSIONER DICUS: Aye

MS. VIETTI-COOK: Commissioner Diaz had previously voted to approve this Memorandum and Order and had he been present he would have affirmed his prior vote. That's all I have.

CHAIRMAN MESERVE: Very good, we're adjourned.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session
(PUBLIC MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: February 14, 2003

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: NANCY S. GREATHEAD

Reporter: (TAPE RECORDING)