

RAS 6625

ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

**DOCKETED
USNRC**

July 15, 2003 (10:58AM)

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**OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF**

July 3, 2003

By Electronic Filing and Mail Delivery

Emile L. Julian
Assistant for Rulemakings and Adjudications
Rulemakings and Adjudications Staff
Office of the Secretary of the Commission
U. S. Nuclear Regulatory Commission
11555 Rockville Pike, One White Flint North
Rockville, MD 20852-2738
Attn: Docketing & Services Branch

Re: Private Fuel Storage - Docket No. 72-22-ASLBP No. 97-732-02

Dear Mr. Julian:

Today, Private Fuel Storage, L.L.C. is filing copies of the Atomic Safety and Licensing Board's ("Board") Memorandum and Order (Rulings on Summary Disposition Motion and Other Filings Related to Remand from CLI-00-13) (May 27, 2003), Partial Initial Decision (Contention Utah E/Confederated Tribes F) (May 27, 2003) ("Utah E PID") and Partial Initial Decision (Contention Utah S) (May 27, 2003) ("Utah S PID") with proposed redactions of proprietary information. PFS is also filing: 1) Applicant's Justification for Withholding Portions of Memorandum and Order (Rulings on Summary Disposition Motion and Other Filings Related to Remand from CLI-00-13), Partial Initial Decision (Contention Utah E/Confederated Tribes F), and Partial Initial Decision (Contention Utah S) from Public Disclosure and 2) NRC Staff's Objections to PFS' Proposed Redactions of Partial Initial Decision (Contention Utah E/Confederated Tribes F, Financial Assurance).

All of those documents contain confidential commercial and financial information concerning PFS cost estimates and the terms of the Model Service Agreement ("MSA") (previously provided by PFS to the Licensing Board and the Staff and the State of Utah) under which PFS would provide spent fuel storage services. For the reasons previously set forth in the 2.790 affidavit and declarations of John D. Parkyn, Chairman of PFS, of May 15, 2000, September 25, 2000, September 28, 2000, and December 4, 2000, and the reasons set forth in Mr. Parkyn's declaration of July 2, 2003, PFS requests that the NRC treat the copies of the Board's decisions as confidential information under 10 C.F.R. § 2.790.

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SECY-02

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Emile L. Julian
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If you have any questions, please contact me at (202) 663-8429.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Sean Barnett", with a stylized flourish at the end.

D. Sean Barnett

cc: G. Paul Bollwerk, III, Esq.
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