

RAS 7259

ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

D. SEAN BARNETT
(202) 663-8429
sean.barnett@shawpittman.com

DOCKETED
USNRC

January 20, 2004 (8:35AM)

January 15, 2004

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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 with the Commission a petition for review of the Atomic Safety and Licensing Board's January 5, 2004 Memorandum and Order (Granting in Part and Denying in Part Motion for Reconsideration and/or Clarification of Financial Qualifications Decisions). This document contains confidential commercial and financial information concerning PFS cost estimates and the terms of the Model Service Agreement 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.

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

Sincerely,



D. Sean Barnett

cc: Nils J. Diaz, Chairman
Edward McGaffigan, Jr., Commissioner

Template = SECY-043

2300 N Street, NW, Washington, DC 20037-1128

202.663.8000 Fax: 202.663.8007

www.shawpittman.com

SECY-02

Washington, DC
Northern Virginia
New York
Los Angeles
London

Emile L. Julian

July 3, 2003

Page 2

Jeffrey S. Merrifield, Commissioner

G. Paul Bollwerk, III, Esq.

Dr. Jerry R. Kline

Dr. Peter S. Lam

Sherwin Turk, Esq.

Denise Chancellor, Esq.

Office of Commission, Appellate Adjudication

Adjudicatory File, Atomic Safety and Licensing Board Panel

Diane Curran, Esq.

John Paul Kennedy, Esq.

Joro Walker, Esq.

Timothy Vollmann, Esq.

Paul Echohawk, Esq.