

January 22, 2004

Mark J. Langer, Clerk
U. S. Court of Appeals for the
District of Columbia Circuit
E. Barrett Prettyman U.S. Courthouse
333 Constitution Ave., N.W.
Washington, D.C. 20001

RE: Public Citizen, Inc., and San Luis Obispo Mothers For Peace v. NRC,
No. 03-1181

Dear Mr. Langer:

Enclosed you will find an original and four copies of "Stipulation of the Parties as to the Administrative Record." Please date stamp the enclosed copy of this letter to indicate date of receipt, and return it to me in the enclosed envelope, postage pre-paid, at your convenience.

Sincerely,

/RA/

Jared K. Heck
Attorney
Office of the General Counsel

Enclosures: As stated

cc: service list

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

| | | |
|-----------------------------|---|-------------|
| |) | |
| PUBLIC CITIZEN, INC. and |) | |
| SAN LUIS OBISPO MOTHERS FOR |) | |
| PEACE, |) | |
| |) | |
| Petitioners, |) | |
| |) | No. 03-1181 |
| v. |) | |
| |) | |
| U.S. NUCLEAR REGULATORY |) | |
| COMMISSION and the UNITED |) | |
| STATES OF AMERICA, |) | |
| |) | |
| Respondents. |) | |
| |) | |

**STIPULATION OF THE PARTIES AS
TO THE ADMINISTRATIVE RECORD**

Pursuant to Federal Rule of Appellate Procedure 17(b)(2), the parties hereby stipulate that no administrative record or certified index of the record need be filed in this case. The parties agree that petitioners' challenge to the manner in which the NRC imposed its new design-basis threat requirements does not require consideration of any "administrative record" beyond the publicly available portions of the challenged NRC

orders themselves, which have already been filed with the Court and will be included in an appendix to the parties' briefs.

Respectfully Submitted,

_____/RA/_____
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_____/RA/_____
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Appellate Section
P.O. Box 23795
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Tel. (202) 514-4010

January 22, 2004

Counsel for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2004, copies of the foregoing
Stipulation of the Parties as to the Administrative Record were served by
mail, postage prepaid, upon the following counsel:

Scott L. Nelson
Amanda Frost
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_____/RA/_____

K. Heck

Jared