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RAS 7404

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Date: Mon, Feb 9, 2004 5:10 PM
Subject: Protective Order Violation in BREDL Filing in Catawba Nuclear Station LTA Proceeding

February 9, 2004

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1726 M Street, NW Suite 600

Washington, D.C. 20036

SUBJ: Protective Order Violation in BREDL Filing in Catawba Nuclear Station
MOX Fuel Lead Assembly License Amendment Proceeding

Dear Diane:

Thank you for your letter of clarification that you sent earlier this afternoon regarding the service of a version of the Blue Ridge Environmental Defense League ("BREDL") pleading on Friday, February 6, 2004. The document titled "Blue Ridge Environmental Defense League's Opposition to NRC Staff Motion for Interlocutory Review and Motion for Stay" was labeled as containing Safeguards Information but was not transmitted as such. This letter confirms that, upon receipt of BREDL's filing last Friday, counsel for Duke Energy treated the entire BREDL submittal (including the document in question) as Safeguards Information until we were able to reach Ms. Curran to ascertain what had caused this apparent discrepancy. This will certify that I have shredded the document in question and all copies, and so indicated in our Safeguards Information log.

Sincerely,

Anne W. Cottingham

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