

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

PUBLIC CITIZEN CRITICAL MASS ENERGY)
AND ENVIRONMENT PROGRAM, and)
NUCLEAR INFORMATION AND RESOURCE)
SERVICE,)

Petitioners,)

v.)

No. 04-1059

UNITED STATES NUCLEAR REGULATORY)
COMMISSION, and THE UNITED STATES,)

Respondents.)

**CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES
(D.C. CIR. R. 28(a)(1) & FED. R. APP. P. 26.1)**

Pursuant to D.C. Circuit Rule 28(a)(1) and Federal Rule of Appellate Procedure 26.1,
petitioners certify as follows:

A. Parties and Amici (and Rule 26.1 Disclosure Statement)

Petitioners are (1) Public Citizen Critical Mass Energy and Environment Program ("Public Citizen") and (2) Nuclear Information and Resource Service ("NIRS"). Petitioner Public Citizen is a national nonprofit membership organization that, among other things, works to protect citizens and the environment from the dangers posed by nuclear power and seeks policies that will lead to safe, affordable, and environmentally sustainable energy. NIRS is a national nonprofit organization established to assist and educate citizens interested in nuclear power, radioactive waste, radiation, and sustainable energy issues. Both petitioners participate in rulemakings and other proceedings before the United States Nuclear Regulatory Commission.

Pursuant to Federal Rule of Appellate Procedure 26.1, petitioners state that neither of

them has a parent, subsidiary, or affiliate that has issued shares or debt securities to the public.

Respondents are the United States Nuclear Regulatory Commission ("NRC") and the United States.

There are no intervenors or amici to date.

B. Rulings Under Review

Petitioners seek review, pursuant to 28 U.S.C. §§ 2342, 2344; 42 U.S.C. § 2239; and Fed. R. App. P. 15, of the final rule issued by the NRC governing Changes to Adjudicatory Process, which was published in the Federal Register on January 14, 2004, at 69 Fed. Reg. 2182.

C. Related Cases

Petitioners are aware of one related case, filed on January 27, 2004, in the United States Court of Appeals for the First Circuit, which seeks review of the same final rule that is at issue in the instant petition. *See Citizens Awareness Network, Inc. et al. v. United States*, No. 04-1145 (1st Cir.).

Respectfully submitted,



Bonnie I. Robin-Vergeer
Scott L. Nelson
Public Citizen Litigation Group
1600 20th Street, N.W.
Washington, D.C. 20009
(202) 588-1000
(202) 588-7795 (fax)

Dated: February 25, 2004

Counsel for Petitioners

CERTIFICATE OF SERVICE

The undersigned counsel certifies that on this 25th day of February, 2004, she caused one copy of the foregoing Certificate as to Parties, Rulings, and Related Cases (D.C. Cir. R. 28(a)(1) & Fed. R. App. P. 26.1) to be served by first-class U.S. mail, postage prepaid, on the following:

Steven Crockett, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

John Ashcroft
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530-0001

Robert Oakley, Esq.
Environment & Natural Resource Division
U.S. Department of Justice
601 D Street, N.W.
Washington, D.C. 20530



Bonnie I. Robin-Vergeer