

WINSTON & STRAWN LLP

1400 L STREET, N.W., WASHINGTON DC 20005-3502
202-371-5700

35 W. WACKER DRIVE
CHICAGO IL 60601-9703
312-656-8600

200 PARK AVENUE
NEW YORK, NY 10166-4103
212-294-6700

38TH FLOOR, 333 SOUTH GRAND AVE
LOS ANGELES, CA 90071-1643
213-615-1700

101 CALIFORNIA STREET
SAN FRANCISCO CA 94111-6894
415-591-1000

43 RUE DU RHONE
1204 GENEVA, SWITZERLAND
41-22-317-75-75

21 AVENUE VICTOR HUGO
75116 PARIS, FRANCE
33-1-43-64-62-82

CITY POINT, 1 ROEMER STREET
LONDON, ENGLAND EC2Y 9HT
44-207-153-1025

November 2, 2004

Ann Marshall Young, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Anthony J. Baratta
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Thomas S. Elleman
Administrative Judge
5207 Creedmoor Road # 101
Raleigh, N.C. 27612

DOCKETED
IISNRC

November 9, 2004 (11:07AM)

**Re: In the Matter of Duke Energy Corporation
Catawba Nuclear Station, Units 1 and 2
Docket Nos. 50-413-OLA, 50-414-OLA**

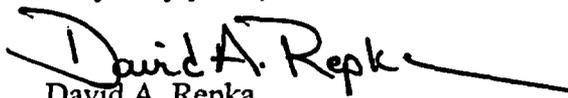
OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Dear Administrative Judges:

Duke Energy Corporation has reviewed with interest the letter of October 29, 2004, submitted by counsel for the Blue Ridge Environmental Defense League. That letter responds to my letter for Duke Energy Corporation, dated October 28, 2004, on schedule matters.

Duke stands behind the information that we previously provided, and we disagree with counsel's characterization that "... Duke omitted or distorted some information about the MOX schedule" If the Atomic Safety and Licensing Board is unclear on any of the information that we provided, we would be glad to address the question in a telephone conference or during the pre-hearing conference scheduled for November 23.

Very truly yours,


David A. Repka
Counsel for Duke Energy Corporation

cc: Service List via U.S. mail and e-mail

Ann Marshall Young, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(email: AMY@nrc.gov)

Dr. Thomas S. Elleman
Administrative Judge
5207 Creedmoor Road, #101
Raleigh, NC 27612
(e-mail: elleman@eos.ncsu.edu)

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Susan L. Uttal, Esq.
Antonio Fernandez, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555
(e-mail: slu@nrc.gov)
(e-mail: axf2@nrc.gov)

Anthony J. Baratta
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(email: AJB5@nrc.gov)

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555
Attn: Rulemakings and Adjudications Staff
(e-mail: HEARINGDOCKET@nrc.gov)

Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Diane Curran
Harmon, Curran, Spielberg &
Eisenberg, LLP
1726 M Street, N.W.
Suite 600
Washington, DC 20036
(e-mail: dcurran@harmoncurran.com)