

IN RESPONSE, PLEASE  
REFER TO: M050421A

April 21, 2005

MEMORANDUM FOR: John F. Cordes, Director  
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 2:55 P.M.,  
THURSDAY, APRIL 21, 2005, COMMISSIONERS'  
CONFERENCE ROOM, ONE WHITE FLINT NORTH,  
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-05-0059 - Duke Energy Corp. (Catawba Nuclear Station, Units 1 and 2),  
Commission *sua sponte* review of portions of the Licensing Board's March 10, 2005 final  
decision on security contention

The Commission approved a Memorandum and Order taking *sua sponte* review regarding conditions imposed by the Licensing Board's March 10, 2005 final partial initial decision on the security contention brought by the Blue Ridge Environmental Defense League (BREDL) to challenge certain exemptions Duke Energy Corporation sought for its Catawba Facility during testing of mixed oxide (MOX) fuel assemblies. The Memorandum and Order establishes a filing schedule for the parties to brief the issue of the necessity of the conditions the Board imposed for purposes of the receipt of the MOX lead test assemblies.

(Subsequently, on April 21, 2005, the Secretary signed the Memorandum and Order.)

cc: Chairman Diaz  
Commissioner McGaffigan  
Commissioner Merrifield  
Commissioner Jaczko  
Commissioner Lyons  
EDO  
DOC  
OGC  
CFO  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR