IN RESPONSE, PLEASE
REFER TO: M050629A

June 29, 2005

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

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

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:25 A.M., WEDNESDAY, JUNE 29, 2005, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-05-0038 - Yankee Atomic Electric Co. (Yankee Nuclear Power Station), Licensee's and NRC Staff's Appeal of LBP-04-27

The Commission[1] approved a Memorandum and Order responding to appeals by Yankee Atomic Electric Company and the NRC staff of the Atomic Safety and Licensing Boards's decision in LBP-04-27 which granted Citizens Awareness Network's (CAN's) hearing request and petition to intervene. The Memorandum and Order affirms the Board's decision in LBP-04-27.

(Subsequently, on June 29, 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

[1] Commissioner Jaczko was not present when this item was affirmed. Accordingly the formal vote of the Commission was 4-0 in favor of the decision. Commissioner Jaczko, however, had previously voted to approve this Memorandum and Order and had he been present he would have affirmed his prior vote.