

RAS 11109

WINSTON & STRAWN LLP

35 WEST WACKER DRIVE
CHICAGO, ILLINOIS 60601-9703

43 RUE DU RHONE
1204 GENEVA, SWITZERLAND

BUCKLESBURY HOUSE
3 QUEEN VICTORIA STREET
LONDON, EC4N 8NH

1700 K STREET, N.W.
WASHINGTON, D.C. 20006-3817

(202) 282-5000

FACSIMILE (202) 282-5100

www.winston.com

333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071-1543

200 PARK AVENUE
NEW YORK, NEW YORK 10166-4193

21 AVENUE VICTOR HUGO
75116 PARIS, FRANCE

101 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA 94111-5894

MARK J. WETTERHAHN
(202) 282-5703
mwetterhahn@winston.com

January 12, 2006

DOCKETED
USNRC

January 25, 2006 (3:47pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Emile L. Julian
Assistant for Rulemakings and Adjudications
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20005

Subject: Docket Nos. 50-413-OLA, 50-414-OLA
Fulfillment of Requirements of Protective Order Relating to Protected
Information

Dear Mr. Julian:

This letter relates to the disposition of Protected Information held by Winston & Strawn LLP ("W&S") in connection with the referenced proceeding relating to the physical protection of MOX (mixed oxide) fuel assemblies prior to irradiation at the Catawba Nuclear Station. The presiding Atomic Safety and Licensing Board issued a Memorandum and Order (Protective Order Governing Duke Energy Corporation's September 15, 2003 Security Plan Submittal), dated December 15, 2003, as amended ("Protective Order"), which governs the disclosure and use of "Protected Information" as that term is defined therein. The "Protected Information" includes designated "Safeguards Information" and "Official Use Only" material.

The Commission proceeding has been completed and the time for judicial review has expired. In accordance with Section F and Section 7 of Appendix A of the Protective Order, this letter fulfills the requirement that individuals covered by the Protective Order account for and deliver that information for disposal or safekeeping With respect to Protected Information maintained at our law offices, all documents have been accounted for and the following actions have been taken:

1. All protected documents in the possession of W&S have either been shredded in accordance with NRC requirements or returned to Catawba Nuclear Station to a person authorized to receive Protected Information on

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WINSTON & STRAWN LLP

Emile L. Julian
January 12, 2006
Page 2

behalf of Duke Energy Corporation for safekeeping under the Duke Energy Safeguards Information program.

2. The W&S dedicated safeguards computer utilized for the adjudication has been "wiped" in accordance with Duke Safeguards Information requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark J. Wetterhahn", written in a cursive style.

Mark J. Wetterhahn
Counsel for Duke Energy Corporation

Enclosure: Certificate of Service

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of:

DUKE ENERGY CORPORATION

(Catawba Nuclear Station,
Units 1 and 2)

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Docket Nos. 50-413-OLA
50-414-OLA

CERTIFICATE OF SERVICE

I hereby certify that copies of the letter from Mark J. Wetterhahn to Emile L. Julian regarding "FULFILLMENT OF REQUIREMENTS OF PROTECTIVE ORDER RELATING TO PROTECTED INFORMATION" in the captioned proceeding have been served on the following by deposit in the United States mail, first class, this 12th day of January, 2006. Additional e-mail service, designated by *, has been made this same day, as shown below.

Nils J. Diaz, Chairman
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, DC 20555-0001

Edward McGaffigan, Commissioner
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, DC 20555-0001

Jeffrey S. Merrifield, Commissioner
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, DC 20555-0001

Peter B. Lyons, Commissioner
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, DC 20555-0001

Gregory B. Jaczko, Commissioner
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, DC 20555-0001

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

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

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

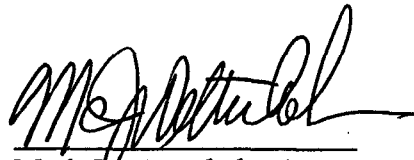
Office of the Secretary*
U.S. Nuclear Regulatory Commission
Washington, DC 20555
Attn: Rulemakings and Adjudications Staff
(original + two copies)
(e-mail: HEARINGDOCKET@nrc.gov)

Adjudicatory File
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)

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

Susan L. Uttal, Esq.*
Nathan R. Wildermann, Esq.*
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555
(e-mail: slu@nrc.gov)
(e-mail: nrw@nrc.gov)



Mark J. Wetterhahn, Esq.
Counsel for Duke Energy Corporation