

March 1, 2006

Lindsay A. Lovejoy, Jr.
Nuclear Information and Resource Service
618 Paseode Peralta
Unit B
Santa Fe, NM 87501

Dear Mr. Lovejoy:

While you have expressed interest in issues to be addressed in the mandatory hearing, the Board has determined that NIRS/PC may not participate as a party in that proceeding. The Staff intends to provide its filings in the proceeding only to admitted parties. Therefore, I will not provide you with our pre-filed testimony as requested. However, I note that since the Staff's testimony is not proprietary, it will be publically available.

Sincerely,

/RA/

Lisa B. Clark
Counsel for NRC Staff

cc: G. Paul Bollwerk, Administrative Judge
Paul Abramson, Administrative Judge
Charles Kelber, Administrative Judge
James Curtiss, Esq.
Office of the Secretary
ATTN: Rulemakings and Adjudications Staff