

From: Doug Starkey ^{DE} ^{OGC} ^{RJJ} ^{RL} ^{NDR}
To: Bradley Jones; Jared Heck; Robert Summers; Thomas Wengert
Date: Wed, Aug 8, 2007 8:16 AM
Subject: Requesting concurrence on FENCO Confirmatory Order

Attached for review and concurrence by your office are the cover letters and Confirmatory Order to FENOC related to the Exponent Report issue. A draft of the CO was sent to FENOC last week for their review and comments. We received their comments on Monday of this week. Their comments are reflected in the draft CO attached.

So that everyone knows the process we are following, here are the next steps:

1. The first cover letter (attached), with the subject line, **Commitments to Be Confirmed by Order Modifying License**, and enclosures, will be sent to FENOC (after all offices have concurred) requesting FENOC's agreement to the Confirmatory Order and requesting that they sign the Consent and Hearing Waiver form. Attached to this document is the draft Confirmatory Order. Please review the letter, the draft Confirmatory Order, and the Waiver form and **concur on this package**.
2. The second cover letter (attached), with the subject line, **Confirmatory Order (Effective Immediately)**, will transmit the final Confirmatory Order to FENOC after we receive FENOC's signed Hearing Waiver form. **Please review and concur on this letter**. You will notice that the Confirmatory Order is not attached to this letter. That was intentional. Once FENOC signs the Hearing Waiver form, a clean copy of the CO will be attached to this letter, as well as a copy of the signed Hearing Waiver form, then the CO will be issued.

Our goal is to issue the final CO early next week. For that to happen, **OE is requesting concurrences on both packages listed above by 10:00 a.m. tomorrow, August 9, 2007, if possible**. We realize this is a fast turn-around, but all the affected offices were previously provided drafts of the CO for comment and we anticipate that there will be few, if any, changes.

P.S. We used the same "cc" that was used for the FENOC DFI. Please take a minute to verify its accuracy and completeness and make changes as appropriate.

Please give me a call if you have any questions.

CC: Andrew Persinko; Cynthia Carpenter; Daniel Holody; Jody Martin; Kenneth O'Brien; Mary Ann Ashley; Nick Hilton; Russell Gibbs; Stewart Magruder; Tison Campbell; Undine Shoop

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