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ALSO PRESENT:

HANN ASHAR

MICHAEL GALLAGHER, Exelon

EMILY KRAUSE, paralegal, NRC, OGC

P R O C E E D I N G S

1:02 P.M.

1
2
3 JUDGE HAWKENS: Let's go on the record.
4 We're conducting a telephone conference call in the
5 AmerGen case Docket No. 50-219-LR.

6 My name is Roy Hawkens. I'm chairman of
7 this Board and I'm joined on the Board by Dr. Paul
8 Abramson, a legal and technical Judge, and Dr. Anthony
9 Baratta, a technical Judge.

10 I should note that Dr. Abramson and Dr.
11 Baratta are not with me in the Rockville office, but
12 they're participating remotely by telephone: I
13 believe Dr. Abramson in New York, Dr. Baratta in
14 Pennsylvania.

15 I am joined here in the Rockville office
16 by two other Panel Members: my law clerk, Ms. Emily
17 Krause, and the administrative assistant, Ms. Karen
18 Volech.

19 Would counsel who will be speaking on
20 behalf of the parties please identify themselves and
21 any other colleagues who are joining them today.
22 Let's start with Citizens, please.

23 MR. WEBSTER: It's Richard Webster here,
24 calling in from Portland, Oregon, actually. I'm
25 joined by my colleague Julia LeMense.

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1 MR. GUNTER: Paul Gunter on behalf of
2 Nuclear Information Resource Center.

3 JUDGE HAWKENS: All right, thank you.
4 AmerGen?

5 MR. POLONSKY: This is Alex Polonsky with
6 Morgan, Lewis, and Bockius. I have with me Kathryn
7 Sutton, and Ray Kuyler. Also counsel for AmerGen who
8 are participating via phone are Brad Fewell, and Don
9 Ferraro. We also have a non-lawyer participating,
10 Vice President of License Renewal for Exelon, Mr.
11 Michael Gallagher.

12 JUDGE HAWKENS: Thank you. The NRC staff?

13 MS. BATY: This is Mary Baty and I'm
14 joined by Marcia Simon and then we have one staff
15 member listening in with us this afternoon, Hann
16 Ashar.

17 JUDGE HAWKENS: All right, thank you. And
18 I note we're also joined on the line by not a
19 participant, but an entity who has been a keen
20 observer throughout the proceedings, the New Jersey
21 Department of Environmental Protection, who is that?

22 MS. LIPOTI: Jill Lipoti.

23 JUDGE HAWKENS: All right, thank you very
24 much.

25 I'd like to remind counsel that the

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1 conference call is being transcribed and the court
2 reporter would be grateful when we're talking counsel
3 would identify themselves.

4 MS. SCRENCI: Judge Hawkens, this is Diane
5 Screnci and Neil Sheehan. We're listening from Region
6 1 just for information purposes.

7 JUDGE HAWKENS: Thank you very much and
8 for purposes of the record, you all are NRC staff
9 Public Affairs Office?

10 MS. SCRENCI: That's correct.

11 JUDGE HAWKENS: Thank you. As indicated
12 in our order of September 2, the Board is
13 contemplating holding an oral argument relating to the
14 issue the Commission referred to us in its order of
15 August 21st.

16 Our law clerk, Ms. Krause provided the
17 parties with an outline of today's discussion points
18 and let's turn to those points now.

19 First establishing an argument date. The
20 week, I know Citizens are unavailable the week of the
21 8th because they are preparing for two oral arguments
22 at the end of the week, Federal Court arguments and we
23 will respect that request.

24 MR. WEBSTER: Thank you, Judge Abramson.

25 JUDGE HAWKENS: So let's talk about the

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1 possibility of having it the week of August 15th,
2 excuse me, September 15th. Citizens have indicated
3 that they're available the entire week. The 16th is
4 not a possibility because we have Board Members who
5 will not be available for that. But that would be
6 from Citizens' standpoint leave four days, Monday,
7 Wednesday, Thursday, or Friday. I know the NRC staff,
8 in its initial response had indicated that it could be
9 available on Thursday or Friday. That would be the
10 18th or 19th.

11 So let's turn to AmerGen and ask them
12 whether they could make themselves available on either
13 of those dates?

14 MR. POLONSKY: Your Honor, this is Alex
15 Polonsky. It would be very difficult for AmerGen to
16 participate in oral argument on the week of the 15th.
17 We have three people who we have conflicts for: Mr.
18 O'Rourke who supported the affidavit that AmerGen
19 submitted on this issue has a scheduled vacation; Mr.
20 Tamburro who is knowledgeable on the subject will be
21 on medical leave and I am supposed to be on the West
22 Coast, the same way Mr. Webster is today.

23 So we were hoping to revisit whether
24 September 8th, 9th, or 10th could be used. We would
25 recognize that there is oral argument that Citizens

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1 have, but it's oral argument, it's not a trial and we
2 were hoping to have the parties consider the 9th or
3 the 8th and leave the 10th for Citizens to prepare for
4 their oral argument. And we would be willing to
5 assist with whatever venue the parties needed,
6 considering that it's Friday afternoon and we're
7 talking about next Monday and Tuesday.

8 I'm not saying that we couldn't
9 necessarily rearrange our schedules the week of the
10 15th and pull Mr. O'Rourke from vacation, but
11 considering those burdens on us, we would like the
12 parties to reconsider whether the 8th or 9th are
13 possible. Can we start there?

14 JUDGE ABRAMSON: Judge Abramson. First,
15 let me just comment that I'm unavailable the morning
16 of the 8th, the morning of the 9th and all day the
17 10th.

18 So if you want to have this oral argument
19 I can participate by telephone conference on the
20 afternoon of the 8th or the afternoon of the 9th.

21 JUDGE BARATTA: This is Judge Baratta. I
22 would be available all day on the 8th, 9th, whatever.

23 JUDGE HAWKENS: All right, well, let's
24 hear from Mr. Webster.

25 MR. WEBSTER: Well, Judge, I mean I've

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1 already interrupted my vacation to participate in this
2 conference call. When I get back, I intend to put an
3 injunction motion on the Thursday and it's a Second
4 Circuit argument on the Friday. I have scheduled
5 moots on those on Tuesday and Wednesday. So I really
6 think it's not possible for me to prepare for this
7 oral argument in addition to those other oral
8 arguments.

9 Since it is quite possible to participate
10 by phone, I'd suggest to AmerGen that they consider
11 that as an option for the 15th.

12 MS. BATY: Your Honor, this is Mary Baty
13 for the staff. We are -- our availability of the week
14 of the 15th is as stated in our email. We can't
15 change, we have no room to change that at this point.

16 I might also add that until we're clear on
17 what subjects are going to be discussed, I'm not 100
18 percent sure which experts I'm going to need. And so
19 I've checked with the experts I anticipated needing,
20 but depending on what issues arise I may have to find
21 -- check the availability of an additional person. We
22 need to be careful about what subjects we need to
23 discuss.

24 MR. WEBSTER: Could I just pick up from
25 Ms. Baty's point that I did also check with Dr.

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1 Hausler on his availability and he's not available
2 until the 15th either.

3 JUDGE HAWKENS: All right, thank you. I
4 have concluded based on what Citizens has said that
5 the 8th, the week of the 8th should be eliminated as
6 a possibility. And let's focus now on the 15th and
7 because Citizens will have -- sounds like the greatest
8 difficulty in accommodating, let me hear what their
9 preference would be.

10 MR. WEBSTER: Well, Judge, towards the end
11 of the week of the 15th will be fine for us.

12 JUDGE HAWKENS: Right, I'm sorry. I
13 didn't mean Citizens. I mean AmerGen for Mr.
14 Polonsky.

15 MR. POLONSKY: I think we have a consensus
16 that Thursday, the 18th is the preferred date and if
17 I might jump ahead to venue, if we're going to be
18 pulling Mr. O'Rourke back from his vacation, his
19 vacation is to the south of Washington, D.C., we would
20 rather have it in Rockville to inconvenience him the
21 least.

22 And we will just have to do without Mr.
23 Tamburro.

24 JUDGE HAWKENS: All right. As I am
25 looking at the responses provided by the NRC staff,

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1 the NRC staff said it would be available on the 18th.
2 Is that correct, Ms. Baty?

3 MS. BATY: Yes, that's correct. We
4 anticipate we are available as one of us -- counsel
5 and Mr. Ashar, we are available on the 18th in
6 Rockville.

7 JUDGE HAWKENS: And Mr. Webster, I just
8 want to confirm Thursday, the 18th, with your
9 representation and your response, you would be
10 available then as well?

11 MR. WEBSTER: Yes, Judge. Could we
12 address venue separately, please?

13 JUDGE HAWKENS: Let's launch into venue
14 right. It seems to me that AmerGen requests giving
15 the impact on the people who will be attending seem
16 significant, their request to have it in Rockville is
17 a reasonable one and let me hear from you in response
18 to that, Mr. Webster.

19 MR. WEBSTER: Well, obviously, we
20 recognize that some of the witnesses were close to the
21 plant and some of them were down elsewhere. I think
22 Exelon's headquarters is actually in Pennsylvania. So
23 it shouldn't too much of an inconvenience, I don't
24 think, for the parties. But I think perhaps more
25 importantly the public here really -- the most intense

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1 public interest is obviously in the area of the plant.
2 The public have already had the opportunity to observe
3 the hearing in September and many members of the
4 public partook of that opportunity and I think found
5 it very informative. Because this is a matter of
6 intense public interest in the area and because part
7 of this hearing process is precisely to allow the
8 public some kind of window into these regulation
9 processes, I really think it appropriate to prioritize
10 the interests of the public over some minor
11 inconvenience of the parties.

12 MS. BATY: Your Honor, might I suggest the
13 Board is working on a webstreaming capability and a
14 hearing was recently webstreamed.

15 JUDGE HAWKENS: Ms. Baty --

16 MS. BATY: Especially if people have to
17 travel at this point and this is an oral argument on
18 a very narrow issue, so webstreaming or perhaps we
19 don't even need to gather all of us and maybe a
20 telephone conference is more appropriate.

21 MR. WEBSTER: Could I just respond to Ms.
22 Baty? I mean Citizens is going to have to travel to
23 some point. I really don't see making one party
24 travel and all the other parties not travel is really
25 striking a balance of interest.

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1 JUDGE HAWKENS: All right, I think I've
2 heard enough on this.

3 Ms. Baty, responding to your observation
4 about the possibility of webstreaming, although we
5 have done webstreaming from two remote sites, we
6 currently don't have the lines installed in the
7 Rockville hearing room to webstream, so that's not
8 currently a possibility. We're working on that, but
9 they're not yet installed.

10 The Board will take the issue of venue
11 under advisement. WE'll be issuing a scheduling order
12 very early next week. One of the issues would be
13 availability of a facility in the Toms River area and
14 we're going to look into that as well. We're going to
15 keep in mind the considerations about convenience and
16 economies for AmerGen as well, so thank you for the
17 input from the parties. We will advise you where
18 venue will be in our scheduling order to be issued
19 early next week.

20 MR. WEBSTER: Thank you.

21 JUDGE HAWKENS: Let's move into the next
22 issue which is the oral argument procedures and in
23 particular the rule of the experts, if any, who will
24 be attending.

25 Let me emphasize this is an oral argument.

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1 Counsel will be representing the party. They will be
2 presenting the arguments. They'll be given the
3 opportunity to present affirmatively the points they
4 want to make. We will be questioning counsel and
5 giving them the opportunity to respond and clarify or
6 expand upon points that are in the brief.

7 Prior to the argument, the Board will
8 provide counsel with areas that we feel will be the
9 focus of questions and we will likely include
10 illustrative questions as well that we will be posing
11 to the counsel. Given that information, the counsel
12 may feel that there's no need to be accompanied by
13 experts. That's their choice.

14 We did suggest, however, that you may wish
15 to consider having an expert present in the event that
16 you're faced with a question and you feel you may wish
17 to consult with an expert before answering the
18 question. Again, that is the counsel's choice.

19 But I'd like to emphasize this is not an
20 evidentiary hearing. The Board will not be examining
21 experts, rather we will be hearing from the counsel.

22 MR. WEBSTER: Judge, this is Richard
23 Webster here. I assume in responding to the questions
24 these are purely arguments of counsel. They won't be
25 regarded as -- counsel won't be allowed to say my

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1 expert has told me X and testify to the expert in
2 terms of hearsay?

3 JUDGE HAWKENS: No, you'll be answering
4 our questions to the best of your ability and those
5 answers may be informed by information by the expert.
6 That will be representations by counsel, however.
7 They will not be representations by the expert.

8 MR. WEBSTER: Right.

9 JUDGE HAWKENS: And let me say this as
10 well though there may be the possibility of the
11 submission by counsel of supplemental briefs after the
12 argument if counsel feel that would be beneficial to
13 them or to their interest. But that's something we
14 can discuss at the end of argument.

15 JUDGE ABRAMSON: Judge Hawken, Judge
16 Abramson. Let me just make sure I understand the
17 boundaries of this oral argument.

18 Is it correct to say that this is confined
19 to the technical information provided in the
20 affidavits and the briefs and that counsel will not be
21 permitted or expected to go outside that information?

22 JUDGE HAWKENS: That's fair to say. I
23 mean there's a fine line when clarifying points made
24 in the brief, whether they're bringing in new
25 information or whether that's clarification of

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1 information already presented.

2 JUDGE BARATTA: This is Judge Baratta
3 here. I think we can't rule out the possibility that
4 the information is already in the record would also be
5 needed.

6 JUDGE HAWKENS: That's correct. That's
7 correct. If there's information in the record that
8 will inform our judgment in answering the issue posed
9 by the Commission, then we made to need to discuss
10 that. I believe the type of illustrative questions
11 that we will be providing counsel with in advance and
12 the areas of interest to the Board will be adequate to
13 put counsel on notice of that type of information.

14 Do counsel have any questions?

15 MR. POLONSKY: Yes, Your Honor. This is
16 Mr. Polonsky. The email that we got from the Board's
17 clerk had on question number three the substantive
18 area that will be the focus of oral argument. What
19 you just went through saying then we won't be
20 discussing that on this call and that will be the
21 subject of a later issuance from you?

22 JUDGE HAWKENS: Yes, that is correct. I
23 mean the substantive area, it will be the issue posed
24 by the Commission, but we will be providing counsel
25 with areas substantive, technical areas that we

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1 believe will be the focus of the oral argument.

2 MR. POLONSKY: Okay, and a follow-up
3 question which I guess we had at the beginning of this
4 call is the Board's notice to us about this was that
5 they were considering holding oral argument and we're
6 wondering if the Board could clarify why it appears to
7 be on the fence about considering oral argument
8 because AmerGen used the pleadings, both initial
9 briefs and reply briefs, submitted in response to the
10 Commission's order of CLI-0810 as sufficient to
11 document the parties' positions here and we're curious
12 why the Board thinks that oral argument is even needed
13 here, especially if experts are playing a very, very
14 limited role?

15 JUDGE HAWKENS: Well, I guess the answer
16 to that is you were resolving the issue for the
17 Commission you could do it on the briefs, Mr.
18 Polonsky. The technical members of this Board have
19 issues, they believe, require further information for
20 them.

21 And so let me make this clear now. Yes,
22 we did characterize at the outset and in our early
23 transmission to you, we were considering, I thought by
24 our discussion to this point now, we've gone beyond
25 that. We will be holding an oral argument.

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1 MR. POLONSKY: Thank you for the
2 clarification, Your Honor.

3 JUDGE ABRAMSON: Judge Hawkens, this is
4 Judge Abramson. Let me ask that it would be -- let me
5 propose that at least for me, it would be very useful
6 to have counsel for each of the parties and for the
7 staff to spend five minutes at the outset of our oral
8 argument explaining to us what they believe the
9 boundaries are of the Commission's charter to us with
10 this what I would characterize as a request for an
11 advisory opinion.

12 JUDGE HAWKENS: All right, in the
13 scheduling order and when we provide them with the
14 areas we want to focus, we can include that type of
15 information. We will do that, Judge Abramson.

16 Citizens, do you have any questions up to
17 this point?

18 MR. WEBSTER: No more questions. Thank
19 you, Judge.

20 JUDGE HAWKENS: Mr. Polonsky?

21 MR. POLONSKY: None that I've -- no, Your
22 Honor.

23 JUDGE HAWKENS: Ms. Baty?

24 MS. BATY: No, Your Honor.

25 JUDGE HAWKENS: Okay, let's go to the

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1 fourth talking point where AmerGen requested the
2 opportunity to discuss the nature and the scope of the
3 Board's planned disposition of the issue referred by
4 the Commission. And it wasn't clear to me what
5 AmerGen wanted to discuss so I will put the ball in
6 AmerGen's court and give Mr. Polonsky the opportunity
7 to express his view.

8 MR. POLONSKY: Thank you, Your Honor. We
9 were curious what the Board planned to do with the
10 directive from the Commission, and we frankly thought
11 it could be responded to in a letter format or
12 advisory opinion as Judge Abramson just suggested.
13 And so we are very mindful that this has taken a long
14 time, through no fault of the Board, to come to
15 finality. And we've waited eight months for the
16 Commission to issue something to this Board, to look
17 through a very narrow question and in essence we
18 thought that if the Board could answer it (a) without
19 oral argument which I've already articulated and could
20 also do so without creating a new round of pleadings
21 and so that's why we raised the question.

22 We may have already addressed it, Your
23 Honor.

24 JUDGE HAWKENS: I think we have. The
25 Board feels a need to have oral argument. We're

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1 grateful that AmerGen is willing to accommodate
2 scheduling that oral argument for the week of the 15th
3 and after we have that argument we'll see whether the
4 parties think supplemental briefing which would be
5 done within a week and would be limited in scope and
6 in pages, if they think that would be helpful or if
7 the Board thinks that would be helpful.

8 And then once that's completed, Mr.
9 Polonsky, we would consistent, with the Commission's
10 request, endeavor to resolve the issue as soon as
11 practical.

12 JUDGE ABRAMSON: Mr. Polonsky, Judge
13 Abramson again, and also for Mr. Webster and Ms. Baty,
14 as AmerGen suggests, this is a very odd request from
15 the Commission. It's not a remand. It's not a
16 reversal. In my view it's at best a request for an
17 advisory opinion. I would appreciate if in your
18 discussion at the oral argument you would each give us
19 briefly your view of how this fits into our
20 regulations and what it actually is.

21 JUDGE HAWKENS: Mr. Polonsky, is there
22 anything further you want to discuss on that talking
23 point?

24 MR. POLONSKY: No, Your Honor.

25 JUDGE HAWKENS: Citizens, did you wish to

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1 express any view on that?

2 MR. WEBSTER: Well, Judge, I think perhaps
3 Citizens' view is that the order of the Commission is
4 very ambiguous. It's not clear what the Commission
5 believes, in the absence of this adequate modeling
6 there would not be reasonable assurance, or whether
7 the Commission is asking for an advisory opinion. I'm
8 not quite sure how we will be able to address that
9 question. The words of the order are what the words
10 of the order are. I'm not sure we can bring more
11 insight into what the Commission means than Judge
12 Abramson or other members of the panel can.

13 JUDGE HAWKENS: I understand. Ms. Baty,
14 anything else to add?

15 MS. BATY: Your Honor, I would like to
16 echo what Mr. Webster said --

17 JUDGE HAWKENS: Ms. Baty, can you speak
18 into the phone, we can't hear you very well.

19 MS. BATY: I'm sorry. I believe that we
20 would have to echo what Mr. Webster said that it's not
21 clear what the Commission had in mind other than that
22 they felt, I guess, since this question was raised was
23 raised by Judge Baratta's additional statement that
24 they felt that the Board needed to address the new
25 material that was submitted in response to their

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1 question. And so we -- I don't know that we can
2 clarify for the Board the Commission's thoughts any
3 better than we could clarify Judge Baratta's thoughts
4 from the Commission.

5 JUDGE HAWKENS: Ms. Baty, we're not asking
6 you to speak for the Commission. I'm asking you to
7 explain to us how you see this fitting in the context
8 of the procedural operations of the Commission and the
9 Board.

10 MR. WEBSTER: Well, Judge, perhaps I could
11 say it really depends on the interpretation of the
12 order. If it isn't a request for advisory opinion
13 that's one set of briefing, whereas if it is an
14 implicit finding that there's a lack of reasonable
15 assurance in the absence of this modeling, that's a
16 separate set of briefing.

17 I guess I'm not quite sure how we would
18 decide which set of briefing to provide or whether you
19 would like both.

20 JUDGE HAWKENS: I'm not asking for
21 briefings, I'm asking for you to discuss the topic at
22 our oral argument. And let's bear in mind that an
23 oral argument, we're only discussing what's already
24 been submitted to the Commission by you and the other
25 parties in the briefs.

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1 MR. WEBSTER: Right.

2 JUDGE HAWKENS: I assume that's the
3 confine -- you submitted briefs to the Commission on
4 this topic. The Commission said well, we better ask
5 the Board about it and I'd like to know how you see
6 that being in the context of your appeal to the
7 Commission of our order.

8 MR. WEBSTER: Well, Judge, I mean if you
9 want I can respond to that now if you want to or we
10 could wait.

11 JUDGE HAWKENS: Let's wait on that. I
12 think we all understand and agree that there's
13 ambiguity there. We may not be able to give any final
14 resolution to it. We may not need to give any final
15 resolution to it, but we would like to hear during the
16 oral argument at the outset just the views of each
17 counsel.

18 Let's go to the final issue where AmerGen
19 requested the opportunity to discuss the anticipated
20 schedule for deciding the issue. I may have already
21 answered that by saying we would endeavor to comply
22 with the Commission's request to resolve it as soon as
23 practicable, but I'll let -- if AmerGen has anything
24 further to say on that matter.

25 MR. POLONSKY: This is Mr. Polonsky. Your

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1 Honor, I think we've adequately covered that.

2 JUDGE HAWKENS: All right, does Citizens
3 or Ms. Baty have anything to add to that?

4 MR. WEBSTER: Nothing to add from my end,
5 Judge. Thank you.

6 MS. BATY: Nothing for the staff, Your
7 Honor.

8 JUDGE HAWKENS: All right, then that
9 exhausts the issues, the talking points that Ms.
10 Krause had provided to counsel.

11 Is there anything else before we wrap this
12 up that counsel would like to discuss?

13 Let's start with Mr. Webster.

14 MR. WEBSTER: Nothing, sir.

15 JUDGE HAWKENS: Mr. Polonsky?

16 MR. POLONSKY: Your Honor, just on the
17 issue of venue, Mr. Webster stated that there are
18 already people at the plant and therefore New Jersey
19 is convenient for AmerGen. In fact, Mr. Tamburro
20 would be the only person from the plant. He will be
21 on medical leave and unable to participate, even if
22 it's in Toms River, so that's not a concern for us.
23 Everyone from our party is outside of New Jersey.

24 MR. WEBSTER: Mr. Gallagher will be coming
25 from Pennsylvania, is that right?

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1 MR. POLONSKY: Yes, outside of New Jersey.

2 JUDGE HAWKENS: All right. Thank you, Mr.
3 Polonsky.

4 Ms. Baty, anything to add?

5 MS. BATY: Your Honor, I just might ask
6 that in your scheduling order, depending upon what
7 venue is selected and we have to make plans, but you
8 indicated how long you anticipate the argument lasting
9 so that we know how many days of accommodations we
10 might need.

11 JUDGE HAWKENS: Certainly, we can do that,
12 Ms. Baty.

13 As I indicated earlier, Judge Abramson and
14 Baratta are not here, so let me talk into the phone
15 and give them the opportunity to say anything which
16 they may wish before we close this up.

17 Judge Baratta?

18 JUDGE BARATTA: I don't have anything
19 additional to add. I just want to thank the parties
20 for their time.

21 JUDGE HAWKENS: Thank you. Judge
22 Abramson?

23 JUDGE ABRAMSON: Can the three of us go
24 off line for a moment and discuss something among
25 ourselves?

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1 JUDGE HAWKENS: Any reason to keep counsel
2 and the parties on line while we do that, Judge
3 Abramson?

4 JUDGE ABRAMSON: Yes, please.

5 JUDGE HAWKENS: All right, we're going to
6 go off the record and put the parties on mute for a
7 few moments.

8 (Off the record.)

9 JUDGE HAWKENS: All right, I went off line
10 with Judge Abramson and Judge Baratta and we're ready
11 to close, if the parties have nothing more.

12 One more time, Citizens?

13 MR. WEBSTER: Thank you, Your Honor.
14 Nothing more.

15 JUDGE HAWKENS: AmerGen?

16 MR. POLONSKY: This is Mr. Polonsky.
17 Nothing more, Your Honor.

18 JUDGE HAWKENS: Ms. Baty?

19 MS. BATY: Nothing more, Your Honor.

20 JUDGE HAWKENS: All right, court reporter,
21 Mr. Jackson, do you need to have the parties remain
22 online to clarify anything?

23 COURT REPORTER: Yes.

24 JUDGE HAWKENS: All right, the Board is
25 going to go offline. Thank you very much and we will

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1 issue the scheduling order early next week.

2 Thank you.

3 (Whereupon, at 1:35 p.m., the
4 teleconference was concluded.)
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CERTIFICATE

This is to certify that the attached proceedings
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in the matter of: Oyster Creek License Renewal

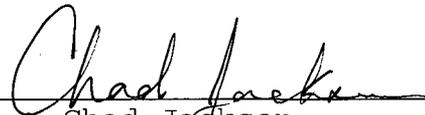
Name of Proceeding: Pre-Hearing Conference

Docket Number: 50-0219-LR:

ASLBP No. 06-844-01-LR

Location: Telephone Conference

were held as herein appears, and that this is the
original transcript thereof for the file of the United
States Nuclear Regulatory Commission taken by me and,
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Chad Jackson
Official Reporter
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