**UNITED STATES OF AMERICA**
**NUCLEAR REGULATORY COMMISSION**

**BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | Docket Nos. 50-438 (CP) and 50-439 (CP) |
| TENNESSEE VALLEY AUTHORITY | ) | |
| | ) | March 22, 2010 |
| (Bellefonte Nuclear Power Plant, Units 1 and 2) | ) | |

## NOTICE OF SCREENING

Notice is hereby given of the actions taken by Morgan, Lewis & Bockius LLP ("The Firm") pursuant to D.C. Rules of Professional Conduct 1.11 to screen Karen D. Cyr from the above-captioned proceeding. The actions taken by the Firm are described in the attached letter to Stephen G. Burns, General Counsel and Designated Agency Ethics Official, U.S. Nuclear Regulatory Commission, dated March 8, 2010.

Respectfully submitted,

*signed (electronically) by Lawrence J. Chandler*
Lawrence J. Chandler, Esq.
Morgan, Lewis & Bockius LLP
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Washington, D.C. 20004
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*COUNSEL FOR TVA*

**UNITED STATES OF AMERICA**
**NUCLEAR REGULATORY COMMISSION**

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| (Bellefonte Nuclear Power Plant, Units 1 and 2) | ) | |

## CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2010, a copy of NOTICE OF SCREENING was served by the Electronic Information Exchange on the following recipients:

U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
Washington, DC 20555-0001

G. Paul Bollwerk, III, Chair
Administrative Judge
E-mail: paul.bollwerk@nrc.gov

Dr. Anthony J. Baratta
Administrative Judge
E-mail: ajb5@nrc.gov

Dr. William W. Sager
Administrative Judge
E-mail: william.sager@nrc.gov

Andrea Z. Jones, Esq.
David E. Roth, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Mail Stop O-15D21
Washington, DC 20555-0001
E-mail: andrea.jones@nrc.gov
E-mail: david.roth@nrc.gov

Office of the Secretary
Attn: Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O-16G4
Washington, DC 20555-0001
E-mail: hearingdocket@nrc.gov

Louis A. Zeller
Representative of Blue Ridge Environmental Defense League (BREDL) & Bellefonte Efficiency and Sustainability Team (BEST)
P.O. Box 88
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Office of Commission Appellate Adjudication
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Mail Stop: O-16G4
Washington, DC 20555-0001
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James B. Dougherty, Esq.*
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*Signed (electronically) by Lawrence J. Chandler*
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**Jay M. Gutierrez**
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March 8, 2010

Mr. Stephen G. Burns
General Counsel and Designated Agency Ethics Official
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Re: NOTICE PURSUANT TO DISTRICT OF COLUMBIA BAR RULE 1.11

Dear Mr. Burns:

Morgan, Lewis & Bockius LLP ("The Firm") hereby provides notice to you as the Designated Ethics Official for the U.S. Nuclear Regulatory Commission, of actions taken by the Firm pursuant to District of Columbia Bar Rule 1.11.

As you know, Karen D. Cyr joined the Firm as a Senior Counsel within our Firm's Energy Practice, on January 4, 2010. Prior to joining the Firm, Ms. Cyr served as General Counsel in the Office of the General Counsel, U.S. Nuclear Regulatory Commission, and in that capacity, she has advised us, she participated personally and substantially (or may be perceived as having done so) in the following matters pending before the U.S. Nuclear Regulatory Commission, including its Atomic Safety and Licensing Boards in which the Firm has entered an appearance:

- Cogema Mining Inc. (Irigaray and Christensen Ranch Facilities), Docket No. 40-08502-MLR

- EnergySolutions, Inc. (Radioactive Waste Import/Export Licenses), Docket Nos. 110-05711 (Import) and 110-05710 (Export)

- Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3), Docket Nos. 50-247-LR and 50-286-LR

- Luminant Generation Company, LLC (Comanche Peak Nuclear Power Plant, Units 3 and 4), Docket Nos. 52-034-COL and 52-035-COL.

- Shaw AREVA MOX Services, LLC (Mixed Oxide Fuel Fabrication Facility Possession and Use License), Docket No. 70-3098

- South Carolina Electric and Gas Co. and South Carolina Public Service Authority (Also Referred to as Santee Cooper) (Virgil C. Summer Nuclear Station, Units 2 and 3), Docket Nos. 52-027-COL and 52-028-COL

- Southern Nuclear Operating Co. (Vogtle Electric Generating Plant, Units 3 and 4), Docket Nos. 52-025-COL and 52-026-COL

- South Texas Project Nuclear Operating Co. (South Texas Project Units 3 and 4), Docket Nos. 52-012-COL and 52-013-COL

- Tennessee Valley Authority (Bellefonte Nuclear Power Plant, Units 1 and 2), Docket Nos. 50-438-CP and 50-439-CP

- Tennessee Valley Authority (Bellefonte Nuclear Power Plant, Units 3 and 4), Docket Nos. 52-014-COL and 52-015-COL

- U.S. Department of Energy (High Level Waste Repository), Docket No. 63-001-HLW

In light of Ms. Cyr's involvement in these matters, the Firm has taken the following actions:

1. Ms. Cyr has been and will be screened from all participation in the foregoing matters. The Firm's File Room personnel have been instructed not to grant Ms. Cyr access to the files relating to these matters, and the applicable files have been or will be labeled accordingly. She will not share in any fees attributable to these matters. Moreover, Ms. Cyr has not revealed any information regarding the noted matters that she obtained while General Counsel in the NRC's Office of the General Counsel to anyone in the Firm.

2. The Firm has represented the above-described clients in the noted matters before Ms. Cyr joined the firm, as the Firm had a pre-existing Nuclear Energy Practice prior to the arrival of Ms. Cyr.

I attest that all affiliated lawyers are aware of the requirement that Ms. Cyr be screened from participating in or discussing the above-noted matters and representation.

Copies of this Notice will be served on all of the participants in the above listed proceedings in which the Firm has entered an appearance.

Sincerely,

Jay M. Gutierrez
Morgan, Lewis & Bockius LLP

Pursuant to District of Columbia Bar Rule 1.11(d), I attest that I will not participate in any manner in the above-described matters or representations, will not discuss them with any partner, associate or of counsel at the Firm, and will not share in any fees for those matters or representations.

Karen D. Cyr

cc: C. D'Agostino
Annette Vietti-Cook, Secretary, U.S. NRC