

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
October 12, 2012

The Commission met in open session, pursuant to notice, at 9:00 a.m.,
Allison M. Macfarlane, Chairman, presiding.

COMMISSIONERS PRESENT:

ALLISON M. MACFARLANE, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission*

WILLIAM D. MAGWOOD, IV, Member of the Commission*

WILLIAM C. OSTENDORFF, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

MARIAN ZOBLER, Acting General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

*Note: Commissioners Svinicki and Magwood participated by telephone.

DISCLAIMER

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The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

[9:00 a.m.]

P R O C E E D I N G S

CHAIRMAN MACFARLANE: Okay, Annette.

MS. VIETTI-COOK: Okay, we have one item for Affirmation. Entergy Nuclear Operations, Inc., Indian Point Nuclear Generating Units 2 and 3. The Commission is being asked to act on a Memorandum and Order responding to a petition by Entergy Nuclear Operations, Inc. for interlocutory review of the September 21, 2012, Board Order granting cross-examination to New York State, and Entergy's companion request to stay the Board Order or the upcoming evidentiary hearing, pending resolution of its petition. The Commission has voted to approve a Memorandum and Order, which denies Entergy's petition for review, provides guidance to the Board, and denies Entergy's stay request as moot. Commissioner Apostolakis did not participate in this matter. Would Chairman Macfarlane and Commissioner Ostendorff please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK: Commissioner Svinicki would you please affirm your vote?

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK: Commissioner Magwood would you please affirm your vote?

COMMISSIONER MAGWOOD: Aye.

MS. VIETTI-COOK: Thank you for calling in.

COMMISSIONER SVINICKI: Thank you.

MS. VIETTI-COOK: That's all we have.

CHAIRMAN MACFARLANE: All right, great. Adjourned.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session
(PUBLIC MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: October 12, 2012

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: Clara I. Sola

Reporter: (TAPE RECORDING)