

May 16, 1983



SECY-83-186

ADJUDICATORY ISSUE

(NEGATIVE CONSENT)

For: The Commissioners

From: James A. Fitzgerald
Assistant General Counsel

Subject: REVIEW OF TRANSCRIPT OF CLOSED
COMMISSION MEETING OF MAY 10, 1983

Discussion: The Commission's May 10, 1983 meeting on NECNP v. NRC (Elimination of Financial Qualifications Review) was held to advise the Commission of the D.C. Circuit's reaction to our position, as the court revealed itself at oral argument, and to discuss available strategies in light of possible outcomes. The meeting was closed under exemption 10 of the Sunshine Act which permits closing where the meeting specifically concerns the Commission's participation in a civil action or proceeding. See 10 CFR 9.104(a)(10).

The discussion at the meeting was as anticipated, and accordingly, in our view,

Contact:
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Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 3, 5, 6, 7, 9, 10
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James A. Fitzgerald
James A. Fitzgerald
Assistant General Counsel

Attachment: Transcript

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SECY NOTE:

In the absence of instructions to the contrary, SECY will notify the staff on Tuesday, May 31, 1983 that the Commission, by negative consent, assents to the action proposed in this paper.