



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 19, 2023

SECRETARY

IN RESPONSE, PLEASE
REFER TO: M231019

MEMORANDUM FOR: Jody C. Martin, Director
Office of Commission Appellate Adjudication

FROM: Tomas E. Herrera, Acting Secretary *Tomas E. Herrera*

SUBJECT: STAFF REQUIREMENTS – AFFIRMATION SESSION, 8:55 A.M.,
THURSDAY, OCTOBER 19, 2023, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-23-0082 – PACIFIC GAS AND ELECTRIC CO., DIABLO CANYON
INDEPENDENT SPENT FUEL STORAGE INSTALLATION, APPEAL OF LBP-23-7

The Commission approved a Memorandum and Order responding to Pacific Gas and Electric Co.'s (PG&E) appeal of the Atomic Safety and Licensing Board's decision in LBP-23-7. In that decision, the Board granted the San Luis Obispo Mothers for Peace's hearing request and admitted a single contention which challenged PG&E's analysis of financial qualifications. Subsequently, PG&E updated its application, appealed the Board's decision, and requested the Board to dismiss the contention as moot. Mothers for Peace also moved to withdraw the contention. In LBP-23-8, the Board dismissed the contention and terminated the proceeding. The Memorandum and Order affirms that PG&E's appeal has become moot, vacates the Board's decision in LBP-23-7, and dismisses the appeal.

(Subsequently, on October 19, 2023, the Secretary signed the Memorandum and Order.)

cc: Chair Hanson
Commissioner Wright
Commissioner Caputo
Commissioner Crowell
EDO
OGC
CFO
OCAA
OCA
OIG
OPA
ODs, RAs, ACRS, ASLBP
PDR