

October 21, 1999

MEMORANDUM FOR: John F. Cordes, Acting Director
Office of Commission Appellate Adjudication

FROM: Annette Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:25 A.M., THURSDAY, OCTOBER 21,
1999, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE,
MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-99-235 - North Atlantic Energy Service Corp. (Seabrook Station, Unit 1) and Northeast Nuclear Energy Co. (Millstone Station, Unit 3), Docket Nos. 50-443-LT and 50-423-LT (Consolidated), Petitions to Intervene

The Commission⁽¹⁾ approved a Memorandum and Order granting the petitions to intervene filed by co-owners of the Seabrook Station unit 1 and Millstone Station unit 3 facilities. New England Power Company (NEP) is seeking the Commission's approval of a transaction under which the New England Electric System (of which NEP is a wholly-owned subsidiary) would itself become a wholly-owned subsidiary of The National Grid Group plc, a company incorporated under the laws of England and Wales. The petitioners challenged NEP's financial qualifications and indirect foreign ownership. The Memorandum and Order grants standing to the petitioners, admits their issues regarding financial qualifications and foreign ownership, establishes a procedural schedule, and declines at this time to appoint a presiding officer.

(Subsequently, on October 21, 1999, the Secretary signed the Memorandum and Order.)

cc: Chairman Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
EDO
OGC
CIO
CFO
OCAA
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR - Advance
DCS - P1-17

1. Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Diaz was not present when this item was affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Diaz, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.