

December 9, 2008

MEMORANDUM FOR: Brooke Poole, Director  
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:25 A.M., TUESDAY, DECEMBER 9, 2008,  
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO  
PUBLIC ATTENDANCE)

**I. SECY-08-0164 - Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3), Order (Striking WestCAN's Request for Hearing) (July 31, 2008)**

The Commission approved a Memorandum and Order responding to an appeal of Westchester Citizen's Awareness Network, Rockland County Conservation Association, Public Health and Sustainable Energy, Sierra Club – Atlantic Chapter, and New York State Assemblyman Richard Brodsky (collectively, WestCAN) challenging the Board's July 31 Order that struck WestCAN's request for hearing. The Memorandum and Order affirms the Board's July 31 Order, and finds that the Board reasonably dismissed WestCAN's request for hearing.

(Subsequently, on December 9, 2008, the Secretary signed the Memorandum and Order.)

cc: Chairman Klein  
Commissioner Jaczko  
Commissioner Lyons  
Commissioner Svinicki  
EDO  
OGC  
CFO  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ASLBP (via E-Mail)  
PDR