

November 17, 2009

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, NOVEMBER 17, 2009, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-09-0149 – Detroit Edison Co. (Fermi Nuclear Power Plant, Unit 3), LBP-09-16
(July 31, 2009) (Ruling on Standing and Contention Admissibility)

The Commission approved a Memorandum and Order addressing the Detroit Edison Company's appeal of the Licensing Board's decision granting the request for hearing and petition for leave to intervene in this combined license proceeding. The Memorandum and Order affirms the Board's decision.

(Subsequently, on November 17, 2009, the Secretary signed the Memorandum and Order.)

II. SECY-09-0154 - In the Matter of David Geisen, Docket No. IA-05-052; Staff Application
for Stay of the Effectiveness of LBP-09-24 Pending Commission Review

The Commission approved a Memorandum and Order responding to a request by the NRC Staff for a stay of the effectiveness of the Atomic Safety and Licensing Board's initial decision in LBP-09-24 setting aside the enforcement order against David Geisen. The Memorandum and Order denies the NRC Staff's Stay Application.

(Subsequently, on November 17, 2009, the Secretary signed the Memorandum and Order.)

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