

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION SESSION

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PUBLIC MEETING

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Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
May 16, 2008

The Commission met in open session, pursuant to notice, at 8:55 a.m.,

Dale E. Klein, Chairman, presiding.

COMMISSIONERS PRESENT:

DALE E. KLEIN, Chairman of the Commission

GREGORY B. JACZKO, Member of the Commission (VIA TELECON)

PETER B. LYONS, Member of the Commission

KRISTINE L. SVINICKI, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

KAREN CYR, General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

DISCLAIMER

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[8:55 a.m.]

P R O C E E D I N G S

CHAIRMAN KLEIN: Before we start our official meeting, we have an Affirmation. We have a Commissioner stuck in a metro somewhere and so we're going to see if Commissioner Jaczko can call in, if not, we will proceed.

MS. VIETTI-COOK: All right, I have one item for affirmation.

CHAIRMAN KLEIN: Before you start, let me just make a note, we originally thought we would have three affirmations today. We only have one. So for any of the people in the audience that might have come for the two we're not doing, our apologies. This was an unusual late date of not getting everything ready. So, we originally had three, we will only do one. So, our apologies for not having advance notice on the two that we're not going to affirm. Madam Secretary?

MS. VIETTI-COOK: The first, we only have one item – Entergy Nuclear Generation Company and Entergy Nuclear Operations, Pilgrim Nuclear Power Station. The Commission is being asked to act on a Memorandum and Order responding to a "Request for Guidance on the First Circuit's Administrative Stay" from Entergy and addressing the effect of the court-ordered stay on the on-going Pilgrim proceeding.

MS. VIETTI-COOK: Commissioner Jaczko, can you hear me? He can't hear me?

AUDIO TECHNICIAN: He can't hear you. But we can hear him.

MS. VIETTI-COOK: I don't think that we can do that if he can't hear me.

AUDIO TECHNICIAN: Can you hear her?

COMMISSIONER JACZKO: Yes.

AUDIO TECHNICIAN: Okay.

MS. VIETTI-COOK: This is on Entergy Nuclear Generation Company and Entergy Nuclear Operations, Pilgrim Nuclear Power Station. The Commission is being asked to act on a Memorandum and Order responding to a "Request for Guidance on the First Circuit's Administrative Stay" from Entergy and addressing the effect of the court-ordered stay on the on-going Pilgrim proceeding. The Commission has voted to approve a Memorandum and Order which directs the Atomic Safety and Licensing Board to close the evidentiary record on Pilgrim Watch Contention 1, per its usual course, and proceed with the existing schedule for the submission of proposed findings of fact and conclusions of law. It also directs that the proceeding-at-large and the administrative record remain open in accordance with the Court's stay order. Would you please affirm your vote?

CHAIRMAN KLEIN: Aye.

COMMISSIONER LYONS: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK: Commissioner Jaczko, would you please affirm your vote?

COMMISSIONER JACZKO: You need me to affirm? Aye.

MS. VIETTI-COOK: Thank you.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session
(PUBLIC MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: May 16, 2008

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: DARLENE K. WRIGHT

Reporter: (TAPE RECORDING)