

August 1, 2000

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

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

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 2:00 P.M.,  
TUESDAY, AUGUST 1, 2000, COMMISSIONERS'  
CONFERENCE ROOM, ONE WHITE FLINT NORTH,  
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)<sup>1,2</sup>

I. SECY-00-0138 - Private Fuel Storage, L.L.C., Docket No. 72-22, Referred Ruling of LBP-00-06

The Commission approved a Memorandum and Order, referred to the Commission pursuant to 10 CFR § 2.730(f), granting discretionary review and affirming in part, reversing in part, and remanding the financial assurance issue to the Board for further proceedings.

(Subsequently, on August 1, 2000, the Secretary signed the Memorandum and Order.)

III. SECY-00-0150 - Northern States Power Co. (Monticello Nuclear Generating Plant; Prairie Island Nuclear Generating Plan, Units 1 and 2; and Prairie Island Independent Fuel Storage Installation); Docket Nos. 50-263-LT, 50-282-LT, 50-306-LT, 70-10-LT; Petitions to Intervene

The Commission approved a Memorandum and Order responding to petitions filed by Ms. Carol A. Overland, the North American Water Office, and the Prairie Island Indian Community related to the transfer of the operating licenses for three facilities -- Monticello and Prairie Island units 1 and 2; and the materials license for the Prairie Island Independent Fuel Storage Installation. The Memorandum and Order (1) denies the petitions to intervene and requests for hearing filed

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<sup>1</sup> 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 McGaffigan was present in the Conference Room. Commissioners Dicus and Merrifield participated in the meeting via speakerphone.

<sup>2</sup> 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." Chairman Meserve and Commissioner Diaz were not present when these items were affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of these decisions. Chairman Meserve and Commissioner Diaz however, had previously indicated that they would approve these papers and had they been present they would have affirmed their prior vote.

by Ms. Overland, the North American Water Office, and the Prairie Island Indian Community; (2) dismisses as moot Ms. Overland's request for consolidation; and (3) authorizes the petitioners to file a consolidated request for reconsideration within ten days of the date of this order, and further authorizes Northern States to file a response within ten days of receiving petitioners' request.

(Subsequently, on August 1, 2000, the Secretary signed the Memorandum and Order.)

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