

STATE OF UTAH
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USNRC

May 13, 2003 (11:47AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFFMARK L. SHURTLEFF
ATTORNEY GENERALRAY HINTZE
Chief Deputy - CivilKIRK TORGENSEN
Chief Deputy - Criminal

May 5, 2003

Emile L. Julian, Assistant for
Rulemakings and Adjudications
Rulemakings and Adjudications Staff
Office of the Secretary
U.S. Nuclear Regulatory Commission
11555 Rockville Pike, One White Flint North
Mail Stop: O16G15
Washington, D.C. 20555

Re: In the Matter of Private Fuel Storage, LLC, Docket 72-22


Dear Mr. Julian;

On May 2, 2003, the State filed *Joint Report on Handling Proprietary Information During Oral Argument and State's Request for Presentations to Commence Earlier in the Day*. Because the words "DRAFT FOR DISCUSSION PURPOSES" were inadvertently not deleted on the first page of this document, the State is filing today a corrected first page.

Enclosed are the original and two copies of the corrected first page.

Thank you.

Sincerely,


Denise Chancellor,
Assistant Attorney General

Enclosure: as stated
cc: PFS Docket 72-22-ISFSI Service List, with enclosure

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:

PRIVATE FUEL STORAGE, LLC
(Independent Spent Fuel
Storage Installation)

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Docket No. 72-22-ISFSI

ASLBP No. 97-732-02-ISFSI

May 2, 2003

JOINT REPORT ON HANDLING PROPRIETARY INFORMATION
DURING ORAL ARGUMENT AND STATE'S REQUEST FOR
PRESENTATIONS TO COMMENCE EARLIER IN THE DAY

As requested in the Board's Order of April 29, 2003, the parties file this Joint Report setting out their positions on handling proprietary information during oral argument on the Applicant's Motion for Reconsideration, set for May 29 in Rockville, Maryland.

State's Position

A. Proprietary Information

To the extent that an open session does not compromise the State's presentation, the State will endeavor to structure its presentation such that it does not verbally refer to PFS-claimed proprietary information. The State notes that the scope of oral argument is not a hearing on the merits of the collateral matters but is intended, in part, to address the process by which the parties substantive views on collateral matters should be addressed.

The State's need to refer to proprietary information depends, in part, upon the substance of PFS's reply to the State's Response to PFS's Motion for Reconsideration (due May 2). Until the State has reviewed that document, it is not in a position to fully evaluate