

IN RESPONSE, PLEASE  
REFER TO: M030516

May 16, 2003

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

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

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 10:55  
A.M., FRIDAY, MAY 16, 2003, COMMISSIONERS'  
CONFERENCE ROOM, ONE WHITE FLINT NORTH,  
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-03-0073 - Pacific Gas & Electric Co. (Diablo Canyon Power Plant Independent Spent Fuel Storage Installation); Intervenor's Request for Suspension of Proceeding Pending Decision on Rulemaking Petition

The Commission<sup>1</sup> approved a Memorandum and Order responding to San Luis Obispo Mothers for Peace and the Union of Concerned Scientists petition for rulemaking and request to suspend the proceeding related to the Pacific Gas & Electric Company application to build a dry cask independent spent fuel storage installation at its Diablo Canyon site. The Memorandum and Order denies the request to suspend the adjudication pending Commission consideration of the petition for rulemaking.

(Subsequently, on May 16, 2003, the Secretary signed the Memorandum and Order.)

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

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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." Chairman Diaz and Commissioners Dicus and McGaffigan were present in the Conference Room. Commissioner Merrifield participated in the meeting via speakerphone.