

October 29, 2003

Mark J. Langer, Clerk  
U. S. Court of Appeals  
E. Barrett Prettyman U.S. Courthouse  
333 Constitution Ave., N.W.  
Washington, D.C. 20001

RE: NCPA v. NRC, No. 03-1038

Dear Mr. Langer:

Enclosed you will find an original and one copy of the first 90-day Status Report in the above-reference case. Please date stamp the enclosed copy of this letter to indicate date of receipt, and return the copy to me in the enclosed envelope, postage pre-paid, at your convenience.

Respectfully submitted,

*/RA/*

Grace H. Kim  
Senior Attorney  
Office of the General Counsel

Enclosure: As stated

cc: service list

UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT

Northern California Power Agency	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 03-1038
	)	
U.S. Nuclear Regulatory Commission	)	
and United States of America,	)	
	)	
Respondents.	)	
	)	

STATUS REPORT

This status report is filed pursuant to this Court's Order dated August 1, 2003, which granted Petitioner's motion to suspend the briefing schedule and hold proceedings in this case in abeyance, pending resolution of the proposed settlement in Intervenor Pacific Gas and Electric Company's ("PG&E") Chapter 11 bankruptcy case, and directed Respondent Nuclear Regulatory Commission ("NRC") to file status reports at 90-day intervals beginning 90 days from the date of the Order. The attached letter from PG&E's counsel details the current status of the proposed settlement agreement in PG&E's bankruptcy case.

Respectfully submitted,

                    /RA/                      
Grace H. Kim  
Senior Attorney  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
(301) 415-3605

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 29, 2003, copies of the foregoing Status Report were served by mail, postage prepaid, upon the following counsel:

David A. Repka, Esq.  
Brooke Poole, Esq.  
Winston & Strawn LLP  
1400 L Street, N.W.  
Washington, D.C. 20005-3502

Robert C. McDiarmid, Esq.  
Ben Finkelstein, Esq.  
Andrea G. Lonian, Esq.  
Spiegel & McDiarmid  
1333 New Hampshire Avenue, N.W.

James D. Pembroke, Esq.  
Lisa S. Gast, Esq.  
Duncan, Weinberg, Genzer & Pembroke, P.C.  
1615 M Street, N.W., Suite 800  
Washington, D.C. 20036-3203

\_\_\_\_\_  
/RA/  
Grace H. Kim