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OFFICE OF SECRETARY
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By Electronic Filing and Mail Delivery

Emile L. Julian
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Rulemakings and Adjudications Staff
Office of the Secretary of the Commission
U. S. Nuclear Regulatory Commission
11555 Rockville Pike, One White Flint North
Rockville, MD 20852-2738
Attn: Docketing & Services Branch

Re: Private Fuel Storage - Docket No. 72-22-ASLBP No. 97-732-02

Dear Mr. Julian:

Today, Private Fuel Storage, L.L.C. is filing with the Commission its response to the State of Utah's petition for review of the Atomic Safety and Licensing Board's Partial Initial Decision (Contention Utah E/Confederated Tribes F) (May 27, 2003), Partial Initial Decision (Contention Utah S) (May 27, 2003), Memorandum and Order (Rulings on Summary Disposition Motion and Other Filings Related to Remand from CLI-00-13) (May 27, 2003) and January 5, 2004 Memorandum and Order (Granting in Part and Denying in Part Motion for Reconsideration and/or Clarification of Financial Qualifications Decisions). PFS's response contains confidential commercial and financial information concerning PFS cost estimates and the terms of the Model Service Agreement under which PFS would provide spent fuel storage services. For the reasons previously set forth in the 2.790 affidavit and declarations of John D. Parkyn, Chairman of PFS, of May 15, 2000, September 25, 2000, September 28, 2000, and December 4, 2000, and the reasons set forth in Mr. Parkyn's declaration of July 2, 2003, PFS requests that the NRC treat its response as confidential information under 10 C.F.R. § 2.790.

If you have any questions, please contact me at (202) 663-8429.

Sincerely,



D. Sean Barnett

Emile L. Julian
February 2, 2004
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cc: Nils J. Diaz, Chairman
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