

March 1, 2006

Lindsay A. Lovejoy, Jr.  
Nuclear Information and Resource Service  
618 Paseode Peralta  
Unit B  
Santa Fe, NM 87501

Dear Mr. Lovejoy:

While you have expressed interest in issues to be addressed in the mandatory hearing, the Board has determined that NIRS/PC may not participate as a party in that proceeding. The Staff intends to provide its filings in the proceeding only to admitted parties. Therefore, I will not provide you with our pre-filed testimony as requested. However, I note that since the Staff's testimony is not proprietary, it will be publically available.

Sincerely,

*/RA/*

Lisa B. Clark  
Counsel for NRC Staff

cc: G. Paul Bollwerk, Administrative Judge  
Paul Abramson, Administrative Judge  
Charles Kelber, Administrative Judge  
James Curtiss, Esq.  
Office of the Secretary  
ATTN: Rulemakings and Adjudications Staff