



February 25, 2015

Dr. Steven P. Croley  
General Counsel  
U.S. Department of Energy  
Mailstop GC-1, 1000 Independence Avenue, SW  
Washington, DC 20585

Subject: Request for Extension of Public Comment Period; Convention on Supplementary Compensation for Nuclear Damage Contingent Cost Allocation  
Docket Number DOE-HQ-2014-0021 – RIN 1990-AA39

Dear Dr. Croley:

On December 17, 2014, the Department of Energy (Department or DOE) published a Notice of Proposed Rulemaking (NOPR) (79 Fed. Reg. 75,076) setting forth proposed regulations (Rule) to establish the framework for a retrospective risk pooling program through which the federal government would be reimbursed by domestic nuclear suppliers if a call for funds were made under the Convention on Supplementary Compensation for Nuclear Damage Contingent Cost Allocation (CSC). This rulemaking implements Section 934 of the Energy Independence and Security Act of 2007 (EISA).

This NOPR followed a Notice of Inquiry for Comments (NOI) issued by DOE on July 22, 2010. The nearly four year lag between the NOI and the NOPR demonstrates DOE's understanding of the complex nature of the issues presented. Yet, despite the myriad of issues presented in the NOPR and DOE's timing of four years to issue it, DOE has allowed interested parties only a 90-day comment period as comments are currently due to DOE by March 17, 2015.

As you are aware, on January 28, 2015, the Nuclear Energy Institute (NEI) filed a request to extend the public comment period until May 19, 2015. (A copy of that letter is included as an Enclosure to this letter.) AREVA Inc. fully supports and endorses NEI's extension request and respectfully requests that the comment deadline be extended by no less than 60 days. We understand that the Department has not yet responded to NEI's request, and respectfully urge DOE to grant the extension. Granting this request will allow interested parties adequate time to further collaborate with DOE in efforts to create a manageable, fair and transparent Rule.

**AREVA INC.**

Given Congress' direction in the Energy Independence and Security Act of 2007, implementation of that statute is likely to have a significant impact on the competitiveness of U.S. nuclear suppliers. AREVA Inc believes a longer public comment period is necessary for the industry and individual companies to fully assess the economic and reporting burden of the proposed rule, and to consider possible approaches that suppliers might usefully recommend.

We would also note that discussions during the February 20, 2015 DOE public workshop on the CSC rulemaking highlighted the need to give stakeholders more time to formulate useful comments on the proposed rule and recommendations for improvements. Virtually all of the supplier workshop participants expressed concern about the difficulty of evaluating the rule's potential effect on nuclear suppliers given the gaps in information in the allocation methods. DOE, for its part, acknowledged the many complexities reflected in the proposed rule and repeatedly articulated the Department's interest in receiving substantive stakeholder input to inform any future rulemaking proposals. In short, virtually all of the discussion during the workshop underscored the need for a longer public comment period.

For all of these reasons, AREVA Inc respectfully asks that DOE extend the comment period to no sooner than May 19, 2015.

Should you have questions or require additional information relating to this request for extension, please contact me.

A handwritten signature in black ink, appearing to read 'Steven Cuevas', written in a cursive style.

Steven Cuevas  
AREVA Inc.