



NUCLEAR ENERGY INSTITUTE

Ellen C. Ginsberg  
VICE PRESIDENT, GENERAL COUNSEL & SECRETARY

March 9, 2011

Mr. Daniel Cohen  
Assistant General Counsel for Legislation and Regulatory Law  
Office of the General Counsel  
Department of Energy  
1000 Independence Avenue, SW.  
Washington, DC 20585-0121

**Subject: Ex Parte Meeting Between the Department of Energy and the Nuclear Energy Institute Regarding Section 934 of the Energy Independence and Security Act of 2007**

Dear Mr. Cohen:

This memorandum memorializes the meeting between the Department of Energy (DOE) and the Nuclear Energy Institute (NEI) on March 3, 2011, pursuant to DOE's Guidance on Ex Parte Communications (74 Fed. Reg. 52,795; Oct. 14, 2009). The meeting participants included:

DOE staff  
Ben McCrea  
Anita Capoferri  
Richard Reister  
Sean Tyson  
Ed McGinnis  
Sophia Angelini

NEI  
Ellen Ginsberg  
Carol Berrigan  
James Glasgow (Pillsbury, Shaw, Pittman, LLC.)

The meeting began at approximately 12:30 p.m. and covered the following topics:

- Collection of additional data related to the numbers and types of U.S. suppliers, the level of individual supplier involvement, and risks associated with goods and services supplied prior to development of a draft rule.
  - Sources of additional data may include the U.S. Department of Energy, the U.S. Nuclear Regulatory Commission and the U.S. Department of Commerce.
- DOE engagement of other federal agencies (*e.g.*, the U.S. Nuclear Regulatory Commission, Ex-Im Bank and the U.S. Department of Commerce) to ensure alignment within the federal government on key issues.
- The need for DOE to proceed in a measured and deliberate manner (*e.g.*, collect additional data from public sources, conduct a workshop with stakeholders to obtain additional input and clarity, and publish a draft rule that provides ample opportunity for further comment).
- DOE submittal of an interim report to Congress highlighting the complexity of this issue and the agency's focus on promulgation of an equitable rule.
- The importance of developing an equitable RRPP that does not unreasonably burden domestic suppliers who wish to compete in the global nuclear market.

Please feel free to contact me if you have any questions regarding this summary.

Cordially,

A handwritten signature in black ink that reads "Ellen C. Ginsberg". The signature is written in a cursive, flowing style.

Ellen C. Ginsberg