

September 20, 2005

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
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September 20, 2005 (4:36pm)

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

In the Matter of:	)	
	)	Docket No. 70-3103-ML
Louisiana Energy Services, L.P.	)	
	)	ASLBP No. 04-826-01-ML
(National Enrichment Facility)	)	

**RESPONSE OF LOUISIANA ENERGY SERVICES, L.P. TO  
INTERVENORS' MOTION TO COMPEL DISCLOSURE CONCERNING  
COSTS OF DECONVERSION UNDER URENCO'S CONTRACT WITH COGEMA**

**I. INTRODUCTION**

On September 15, 2005, Nuclear Information and Resource Service and Public Citizen ("NIRS/PC" or "Intervenors") filed a motion to compel<sup>1</sup> Louisiana Energy Services, L.P. ("LES") to "disclose the pricing terms of a contract under which Urenco's Almelo enrichment plant obtains deconversion services from COGEMA." Motion to Compel at 1. In accordance with the schedule established by the Atomic Safety and Licensing Board ("Board") by order dated September 16, 2005,<sup>2</sup> LES herein responds to the Motion to Compel. As discussed below, LES is now in a position to provide the information requested by NIRS/PC. Accordingly, this information, which is proprietary, is being provided today under separate cover. LES considers this motion and the information that is being provided under separate cover to be dispositive of the issues raised by NIRS/PC in their September 15, 2005 motion to compel.

<sup>1</sup> "Motion on Behalf of Intervenors [NIRS/PC] to Compel Disclosure by Applicant Louisiana Energy Services, L.P. Concerning Costs of Deconversion Under Urenco's Contract With Cogema" (Sept. 15, 2005) ("Motion to Compel").

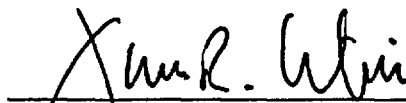
<sup>2</sup> Order (Schedule for Responses to Motion to Compel) (Sept. 16, 2005) (unpublished).

## II. DISCUSSION

In response to a request made by NIRS/PC in October 2004, LES indicated that it would endeavor to obtain from Urenco and COGEMA the information requested by NIRS/PC, *i.e.*, the so-called "French industrial indices" that are used to escalate the price of deconversion services provided by COGEMA pursuant to its current contract with Urenco. *See* Letter from J. Curtiss (LES) to L. Lovejoy (NIRS/PC), dated November 12, 2004. In response to Intervenors' recent renewal of that request, LES has now obtained the information sought by NIRS/PC. Given its proprietary nature, LES is transmitting the requested information to NIRS/PC under separate cover as "protected material." Specifically, LES is sending the requested information to NIRS/PC today via Federal Express for overnight delivery.

Notwithstanding, LES wishes to reserve any objections that it might have as to the relevancy of this information to the issues in the forthcoming proceeding should it be proffered as evidence in this proceeding.

Respectfully submitted,



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Dated at Washington, District of Columbia  
this 20th day of September 2005

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:	)	Docket No. 70-3103-ML
	)	
Louisiana Energy Services, L.P.	)	ASLBP No. 04-826-01-ML
	)	
(National Enrichment Facility)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the "RESPONSE OF LOUISIANA ENERGY SERVICES, L.P. TO INTERVENORS' MOTION TO COMPEL DISCLOSURE CONCERNING COSTS OF DECONVERSION UNDER URENCO'S CONTRACT WITH COGEMA" in the captioned proceeding has been served on the following by e-mail service, designated by \*\*, on September 20, 2005 as shown below. Additional service has been made by deposit in the United States mail, first class, this 20th day of September 2005.

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Commissioner Jeffrey S. Merrifield  
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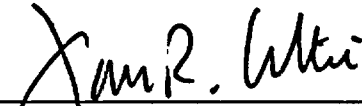
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