

EDO Principal Correspondence Control

FROM: DUE: 04/20/06 EDO CONTROL: G20060354
DOC DT: 02/21/06
FINAL REPLY:

Senator Pat Roberts
(Federal Energy Regulatory Commission/Office
of External Affairs Referral)

TO:

Combs, OCA

FOR SIGNATURE OF : ** GRN ** CRC NO: 06-0168

Reyes, EDO

DESC:

Safety and Operation of Nuclear Generating
Facilities (Robert Tilford)

ROUTING:

Reyes
Virgilio
Kane
Silber
Dean
Cyr/Burns
Travers, RII
Schmidt, OCA

DATE: 03/31/06

ASSIGNED TO: CONTACT:
NMSS Strosnider

SPECIAL INSTRUCTIONS OR REMARKS:

Prepare response to Robert Tilford with a cc: to
Senator Pat Roberts. The response with cc: must go
out thru OCA.

Template: SECY-017

E-RIDS: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Mar 30, 2006 17:28

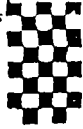
PAPER NUMBER: LTR-06-0168 LOGGING DATE: 03/30/2006
ACTION OFFICE: EDO

AUTHOR: SEN Pat Roberts
AFFILIATION: CONG
ADDRESSEE: Thomas Combs
SUBJECT: Concerns safety and operation of nuclear generating facilities.....

ACTION: Signature of EDO
DISTRIBUTION: OCA to Ack

LETTER DATE: 03/20/2006
ACKNOWLEDGED: No
SPECIAL HANDLING:
NOTES: FERC Referral
FILE LOCATION: ADAMS
DATE DUE: 04/20/2006 DATE SIGNED:

EDO --G20060354



Pat Roberts

U.S. SENATOR KANSAS

PRIVACY RELEASE AUTHORIZATION FORM

In order for Senator Roberts to assist you, we ask that you provide the information requested below.

Name: ROBERT TILFORD

Street Address: 311 W. Beech

City and Zip Code: McCracken KANSAS 67556

Day time phone: _____ Ext. _____ Cellular phone: _____ Evening phone: _____

Fax number: _____ E-mail address: _____

With which federal department or agency do you need assistance? DOE, FERC, NRC, PRRS

Please provide any relevant numbers that will help us identify your case, such as Social Security number, claim number, DNS number, tax identification number, etc. _____

Brief description of the problem (Please continue on the back if needed. Please include copies of any relevant documentation.)

1) unresponsive to problems concerning the safety and operation of nuclear generating facilities in 2 states

2) failure to act to secure spent nuclear fuel rods

3) failure to require DUKE ENERGY corporation to purchase adequate insurance

I (We) hereby request the assistance of Senator Pat Roberts and his staff in addressing the matter outlined above and authorize Senator Roberts and his staff to obtain information and have access to all records pertaining to this matter.

SIGNATURE(S): Robert Tilford

Date: Feb 21 2006

Please return this form by mail or by fax to the office nearest you.

Senator Pat Roberts
United States Senate
11900 College Blvd, Ste. 203
Overland Park, KS 66210
(913) 451-9343 phone
(913) 451-9446 fax

Senator Pat Roberts
United States Senate
Frank Carlson Federal Bldg.
444 SE Quincy, Room 392
Topeka, KS 66683
(785) 295-2745 phone
(785) 233-3655 fax

Senator Pat Roberts
United States Senate
155 N. Market St., Suite 120
Wichita, KS 67202
(316) 263-0416 phone
(316) 263-0273 fax

Senator Pat Roberts
United States Senate
100 Military Plaza
P. O. Box 550
Dodge City, KS 67801
(620) 227-2244 phone
(620) 224-2264

February 3, 2006

Chairman Nils J. Diaz
U.S. Nuclear Regulatory Commission
888 First Street N.E. Room 11H
Washington, D.C. 20426

Dear Chairman Diaz,

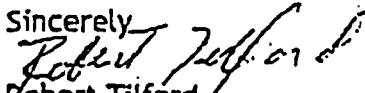
I have in my possession certain documents pertaining to a proposed merger between two energy corporations which seem to indicate a problem within the nuclear industry, which I think you should be made aware of. A problem which is not currently being addressed through federal regulation and oversight.

It concerns this issue of energy corporations, in particular to those who own and operate nuclear generating facilities in the United States, lacking adequate insurance to cover a whole range of risks. These risks include leaks, explosions, terrorist attacks, mechanical problems, inherent within the nuclear industry. Such risks could result in substantial loss of human life, significant damage to property and environmental pollution...etc. (see attached Confidential DUKE ENERGY document, pg 22, dated February 3, 2006).

Part of the problem is the limitations on the amounts and types of insurance commercially available to cover losses that might arise in connection with Nuclear operations, as well uncertainties with respect to the technical and financial aspects of decommissioning of nuclear generating plants.

It is my belief that we can address this problem by otherwise requiring energy corporations who own and operate nuclear generating facilities to purchase more comprehensive insurance coverages.

Thank you for your assistance in this matter.

Sincerely,

Robert Tilford
311 West Beech Ave
Mc Cracken, Kansas 67556

cc: NRC

consummated and for a period of time thereafter, and could cause customers, suppliers and others that deal with Duke Energy and Cinergy to seek to change existing business relationships with Duke Energy and Cinergy. Employee retention may be particularly challenging during the pendency of the mergers, as employees may experience uncertainty about their future roles with the combined company. If, despite Duke Energy's and Cinergy's retention efforts, key employees depart because of issues relating to the uncertainty and difficulty of integration or a desire not to remain with the combined company, the combined company's business could be seriously harmed. In addition, the merger agreement restricts Duke Energy and Cinergy, without the other party's consent, from making certain acquisitions and taking other specified actions until the mergers occur or the merger agreement terminates. These restrictions may prevent Duke Energy and Cinergy from pursuing otherwise attractive business opportunities and making other changes to their businesses that may arise prior to completion of the mergers or termination of the merger agreement.

Risks Relating to the Businesses of the Combined Company

After consummation of the mergers, the combined business of Duke Energy Holding will be subject to many risks and uncertainties.

Gas transmission, distribution, gathering, and processing activities involve numerous risks that may result in accidents and other operating risks and costs.

There are inherent in our gas transmission, distribution, gathering, and processing properties a variety of hazards and operating risks, such as leaks, explosions and mechanical problems, that could cause substantial financial losses. In addition, these risks could result in loss of human life, significant damage to property, environmental pollution, impairment of our operations and substantial losses to us. For our pipelines located near populated areas, including residential areas, commercial business centers, industrial sites and other public gathering areas, the level of damages resulting from these risks is greater. We do not maintain insurance coverage against all of these risks and losses, and the insurance coverage we maintain may not fully cover the damages caused by those risks and losses for which we do maintain insurance and therefore could have a material adverse effect on our financial position and results of operations.

Our franchised electric revenues, earnings and results are dependent on state legislation and regulation that affect electric generation, distribution and related activities, which may limit our ability to recover costs.

Our franchised electric businesses are regulated on a cost-of-service/rate-of-return basis subject to the statutes and regulatory commission rules and procedures of North Carolina, South Carolina, Kentucky, Indiana and Ohio. If our franchised electric earnings exceed the returns established by our state regulatory commissions, our retail electric rates may be subject to review by the commissions and possible reduction, which may decrease our future earnings.

We may incur substantial costs and liabilities due to our ownership and operation of nuclear generating facilities.

Our ownership interest in and operation of three nuclear stations subject us to various risks including, among other things: the potential harmful effects on the environment and human health resulting from the operation of nuclear facilities and the storage, handling and disposal of radioactive materials; limitations on the amounts and types of insurance commercially available to cover losses that might arise in connection with nuclear operations; and uncertainties with respect to the technological and financial aspects of decommissioning nuclear plants at the end of their licensed lives.

Our ownership and operation of nuclear generation facilities requires us to meet licensing and safety-related requirements imposed by the NRC. In the event of non-compliance, the NRC may increase regulatory oversight, impose fines, and/or shut down a unit, depending upon its assessment of

February 5, 2006

Mr. Clay Sell
Deputy Secretary of Energy
U.S. Department of Energy
Forrestal Building, Room 7B138
1000 Independence Avenue S.W.
Washington, D.C. 20585-0800

Dear Deputy Secretary Sell,

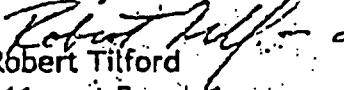
This letter concerns the situation of the Department of Energy's (D.O.E.) failure to take possession of spent nuclear fuel rods from 3 commercial nuclear generating facilities, owned and operated by DUKE ENERGY Corporation.

These facilities are: 1) Catawba Nuclear Station, located in York, South Carolina, 2) Oconee Nuclear Station, located in Seneca, South Carolina, and 3) Mc Guire Nuclear Station, located in Huntersville, North Carolina. (See attached Confidential DUKE ENERGY CORPORATION document, dated February 3, 2006).

As this is a situation which is deemed a hazard to the safety and operation of nuclear reactors in the United States, I wanted to make you aware of this situation, so the D.O.E. can act immediately to remedy this problem.

Thank you for your help and cooperation in this matter.

Sincerely


Robert Tilford
311 west Beech Ave
Mc Cracken, Kansas 67556

cc: U.S. Nuclear Regulatory Commission

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20425

OFFICE OF EXTERNAL AFFAIRS

FAX TRANSMITTAL SHEET

DATE: 3/20/06

TO: Tom Combs

ORGANIZATION: NRC

FAX NUMBER: 301-415-8571

VERIFICATION PHONE NUMBER: 301-415-1776

NUMBER OF PAGES INCLUDING COVER SHEET: 7

FROM: Paula J. Felt

ORGANIZATION: Federal Energy Regulatory Commission
Office of External Affairs

FAX NUMBER: (202) 208-2106

VERIFICATION PHONE NUMBER: (202) 502-8004

SUBJECT: _____

PAT ROBERTS
KANSAS

103 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-1608
202-224-4774

FRANK CARLSON FEDERAL BUILDING
448 S.E. QUINCY ROOM 392
TOPEKA, KS 66603
785-295-2745

United States Senate

WASHINGTON, DC 20510-1605

COMMITTEES:
ARMED SERVICES
AGRICULTURE
ETHICS
HEALTH, EDUCATION,
LABOR, AND PENSIONS
CHAIRMAN:
INTELLIGENCE

FAX COVER

DATE 3-16-06
TO Don Chambliss
FAX 202-208-2106

FROM SENATOR PAT ROBERTS
State Office - Topeka
Phone 785-295-2745
Fax 785-235-3665

Gilda Lintz
District Director

PAGES 3, including this one

NOTE Please provide Senator Roberts a
copy of your reply to Mr. Tilford.
Thank you.

Rec'd via CRA Komb 5 3-29-06 4/1/06