

January 11, 2008

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRE-LICENSE APPLICATION PRESIDING OFFICER BOARD

_____)	Docket No. PAPO-00
In the Matter of)	
U.S. DEPARTMENT OF ENERGY)	ASLBP No. 04-829-01-PAPO
(High Level Waste Repository:)	
Pre-Application Matters))	
_____)	

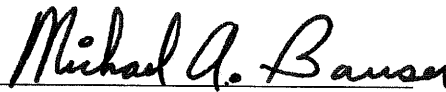
**THE NUCLEAR ENERGY INSTITUTE'S 10 C.F.R. § 2.1009(b)
CERTIFICATION OF COMPLIANCE**

Potential parties to the high-level radioactive waste geologic repository proceedings must, no later than ninety days after the Department of Energy (“DOE”) certification of compliance under 10 C.F.R. § 2.1009(b), make electronically available documentary material on the Licensing Support Network (“LSN”) and implement procedures to meet this requirement. [10 C.F.R. §§ 2.1003(a) and 2.1009(a)(2).] At that same time, potential parties to the proceedings must certify that they have met the above stated requirements. [10 C.F.R. § 2.1009(b).] DOE made its 10 C.F.R. § 2.1009(b) certification of compliance on October 19, 2007. The Nuclear Energy Institute (“NEI”)¹ hereby submits its 10 C.F.R. § 2.1009(b) certification of compliance.

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineer firms, nuclear materials licensees, and other organizations and individuals involved in the nuclear energy industry.

Steven P. Kraft, as the official responsible for NEI's administration of its responsibility to provide electronic files of its documenting material, has executed the attached 10 C.F.R. § 2.1009(b) certification. NEI will continue to supplement its documentary material collection on the LSN in accordance with 10 C.F.R. § 2.1003(e) and Pre-Application Presiding Officer ("PAPO") Board Orders.²

Respectfully submitted,



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Dated: January 11, 2008

² As of the date of this certification, NEI has not identified any documentary material subject to a claim of primary privilege, as defined in the PAPO Board's July 6, 2007 Revised Second Case Management Order ("RSCMO"). Thus, NEI has no privilege logs to submit concomitant with its 10 C.F.R. § 2.1009(b) certification of compliance. RSCMO at 13.

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**THE NUCLEAR ENERGY INSTITUTE'S CERTIFICATION OF
COMPLIANCE WITH 10 C.F.R. §§ 2.1003 & 2.1009(a)(2)**

I, the undersigned, certify pursuant to 10 C.F.R. § 2.1009(b) that the Nuclear Energy Institute has implemented procedures specified in 10 C.F.R. § 2.1009(a)(2) and, to the best of my knowledge, has identified and made electronically available on the Licensing Support Network the documentary material specified in 10 C.F.R. § 2.1003.



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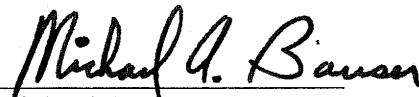
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)
)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing "Nuclear Energy Institute's 10 C.F.R. § 2.1009(b) Certification of Compliance" has been served via the Nuclear Regulatory Commission's Electronic Information Exchange ("EIE") upon those on the Service List maintained by the EIE for the above-captioned proceeding.

Respectfully submitted,



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