

**PR 20, 30, 40, 50, 70 and 72
(73FR03811)**

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March 18, 2008 (2:30pm)

Ms. Annette Vietti-Cook
Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Attention: Rulemaking and Adjudications Staff

Subject: RIN 3150-AH45: Request for Extension of the Public Comment Period for
Decommissioning Planning Rulemaking

Dear Madam Secretary:

Entergy Corporation ("Entergy") hereby requests a 90-day extension of the Public Comment Period for Decommissioning Planning Rulemaking. Entergy supports a similar request made by the Nuclear Energy Institute ("NEI") on March 3, 2008, and concurs with the bases expressed in that request that the Decommissioning Planning Rulemaking raises very complex issues and may generate unintended consequences. An extension of the Public Comment Period is necessary to allow Entergy and other stakeholders the requisite time to provide meaningful comments on the proposed rule.

The proposed rule may have implications that are difficult to immediately anticipate. Although the proposed rule is primarily directed at perceived deficiencies in the decommissioning funding assurance provided by materials licensees, several aspects of the proposed rule may have unintended impacts on reactor licensees. For example, the proposed changes to the terms of parent guarantees could have a significant negative effect on any reactor licensees currently using a parent guaranty to provide partial decommissioning funding assurance, or any licensees that may want the flexibility to use the parent guaranty in the future. Additional time to consider the various far-reaching consequences of the proposed changes is necessary in order to fully address all aspects of the rulemaking.

The rulemaking raises a number of complex issues that require thoughtful attention. Those issues range from deviations in financial assurance requirements, to more rigorous site surveys for residual radioactivity than are presently required. Acknowledging the complexity of this rulemaking, the Commission has expressed its strong interest that the staff "aggressively

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encourage” public comments.¹ Extending the Public Comment Period would enable participants, such as Entergy, to provide meaningful comments and would therefore facilitate an informed rulemaking.

Thank you for your consideration in this matter. If you have any questions regarding this request, please contact me at 601-368-5680.

Sincerely,



Terence A. Burke
Associate General Counsel - Nuclear

¹ As NEI highlighted in its request for extension, the Commission instructs in STAFF REQUIREMENTS – SECY-07-0177 – PROPOSED RULE: DECOMMISSIONING PLANNING (10 CFR PARTS 20, 30, 40, 50, 70, AND 72; RIN 3150-AH45), that, “[b]ecause of the complexity of this rulemaking, the staff should aggressively encourage public comments so that the decision on the final rule will appropriately consider all relevant issues and identify and resolve unintended consequences if they exist.”