November 25, 2009

Marvin S. Fertel
President and Chief Executive Officer
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, D.C. 20006

Dear Mr. Fertel:

This is to acknowledge receipt of your letter dated November 13, 2009, to Chairman Jaczko proposing the suspension of activities related to the ongoing adjudication associated with the Department of Energy's construction authorization application for a high-level waste repository at Yucca Mountain. Your letter includes an offer to meet with the Chairman to discuss the matter. Given the pendency of the adjudicatory proceeding, the Chairman is unable to meet with you on this issue.

A response is under preparation which will be forwarded to you shortly.

Sincerely,

***/RA/***

Annette L. Vietti-Cook

cc: Service List