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Citizens Utility Board

Fax

To: Chairman Gregory B. Jaczko**From:** Kira Loehr**Fax:** 301-492-3446**Pages:** 3 including cover sheet**Phone:****Date:** April 20, 2011**Re:** Point Beach Extended Power Uprate,
LAR-261, Correspondence**cc:**

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April 20, 2011

The Honorable Gregory B. Jaczko
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

RE: Point Beach Nuclear Plant, Units 1 and 2, Extended Power Uprate Application

Dear Chairman Jaczko:

The Citizens Utility Board of Wisconsin (CUB) and Clean Wisconsin respectfully request that a decision regarding NextEra Energy's (NextEra) extended power uprate (EPU) application for the Point Beach Nuclear Power Plant (PBNP) be postponed until the Nuclear Regulatory Commission's (NRC or Commission) recently convened Task Force analysis of the lessons learned from the severe nuclear catastrophe in Japan is complete. In light of the significant and tragic events currently taking place at the Fukushima-Daiichi nuclear units, a pause in decision-making by the NRC regarding nuclear power plant uprates is warranted. A delay should not harm the applicant since the power from the PBNP EPU is not needed due to the current power glut in Wisconsin and the Midwest region.

PBNP is a two reactor site and is located on the shore of Lake Michigan just south of Green Bay, Wisconsin. NextEra applied to the NRC for a 17% EPU for PBNP that would increase the electric power output from each reactor from 519 MW to 607 MW. If the NRC approves NextEra's application the PBNP uprate would be the largest EPU approved by the Commission at a multi-unit pressurized water reactor nuclear plant site.

On March 11, 2011, shortly after comments on the NRC's draft Environmental Assessment for the PBNP EPU were submitted by CUB and Clean Wisconsin, the world was rocked by the 9.0 magnitude earthquake in Japan. The United States watched the disaster at the Fukushima-Daiichi plant unfold. Repeated pictures of explosions at several of the reactors at that plant were seared into our collective consciousness, as was the news of ever-expanding radiation danger zones surrounding the damaged reactors.

The Commission responded quickly and efficiently to the crisis by sending experts directly to the affected region and convening a Task Force to conduct both short- and long-term analysis of the lessons that can be learned from the nuclear disaster in Japan. The Task Force's short-term analysis, the first of which could be published as soon as July 2011, will undoubtedly be invaluable for improving the safety of the United States' nuclear fleet. The NRC's long-term

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analysis will be equally vital as the situation in Japan is continually evolving and over time may yield more clues as to ways to prevent such catastrophes in the future. Postponing a decision on the PBNP EPU until these analyses are completed will have substantial benefits if the lessons learned are applied to NextEra's application. Wisconsin customers also will not be harmed since there is no need for the increased generation at this time.

The original forecasts of need in the NRC's draft Environmental Assessment for the PBNP uprate are inaccurate and outdated. *See* NRC Staff Response to Comments Regarding Draft Environmental Assessment, ML110950142, Response to Comments PB-A-1-NP through PB-A-5-NP. More recent documents demonstrate that Wisconsin is not in need of additional power. *Id.* In fact, both the Midwest Reliability Organization (MRO) and the ReliabilityFirst Corporation (RFC) expect their prospective and adjusted potential resources reserve margins to be above the North American Electric Reliability Corporation's reference margin level at least until the year 2019.¹

Given the substantial public benefits to Wisconsin citizens and the environment to apply lessons learned from the NRC's Task Force on improving nuclear safety in the U.S. in the wake of the Fukushima nuclear disaster, CUB and Clean Wisconsin respectfully request that any determination on NextEra's EPU application be delayed until the Task Force has completed its short- and long-term findings.

Thank you for your consideration of this request.

Sincerely,



Kira E. Loehr
General Counsel
Citizens Utility Board



Katie A. Nekola
General Counsel
Clean Wisconsin

¹ NERC 2010 Long-Term Reliability Assessment, p. 3, available at http://www.nerc.com/files/2010_LTRA_v2-.pdf.