



## ENCLOSURE 1

### AFFIDAVIT PURSUANT TO 10 CFR 2.390

1. My name is Ross Moore. I am the Director of Regulatory Affairs at Oklo Inc. ("Oklo"), and am authorized to make this request for withholding.
2. The purpose of this affidavit is to request withholding of portions of the information herein enclosed from public disclosure, "Enclosure 2, Oklo Inc. Licensing Project Plan: 3Q2022 Update," pursuant to 10 CFR 2.390.
3. I am making this request for withholding under the provisions of 10 CFR 2.390(a)(4) of the regulations of the Nuclear Regulatory Commission (NRC) and submitting this affidavit in conformance with the provisions of 10 CFR 2.390(b)(1) and 10 CFR 2.304.
4. Pursuant to the provisions 10 CFR 2.390(a)(4), the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
  - a) The information sought to be withheld from public disclosure is owned by Oklo and has been held in confidence by Oklo and its consultants.
  - b) The information sought to be protected is not available to the public to the best of our knowledge and belief.
  - c) The information is of the type that would customarily be held in confidence by Oklo policy, which holds that information is to be held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
    - i) It contains information descriptive of proprietary technology, where preventing its use by any of Oklo's competitors without license from Oklo constitutes a competitive economic advantage over other companies.
    - ii) Its use by a competitor would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
    - iii) It reveals or can be used to infer cost or price information, production capacities, budget levels, or commercial strategies of Oklo, its customers, or suppliers.
    - iv) It reveals or can be used to infer aspects of past, present, or future Oklo or customer-funded development plans and programs of potential commercial value to Oklo.
    - v) It contains patentable ideas, for which patent protection may be desirable.
    - vi) The use of such information by Oklo gives Oklo a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Oklo competitive position.



- vii) It includes information that is marketable in many ways. The extent to which such information is available to competitors diminishes Oklo's ability to sell products and services involving the use of the information.
  - viii) Use by our competitor(s) would put Oklo at a competitive disadvantage by reducing their expenditure of resources at our expense.
  - ix) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving Oklo of a competitive advantage.
  - x) Unrestricted disclosure would jeopardize the position of prominence of Oklo in the world market, and thereby give a market advantage to the competition of those countries.
  - xi) The capacity of Oklo and its investors to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.
- d) The information was transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390 and 2.304; it is to be received in confidence by the NRC.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on date listed below.

Signed:

A handwritten signature in black ink, appearing to read "Ross Moore", written over a horizontal line.

Ross Moore

\_\_07\_\_/\_06\_\_/\_2022\_\_

Date

Director of Regulatory Affairs, Oklo Inc

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