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T. Rathschild / S. Fonneu /  
UNITED STATES  
NUCLEAR REGULATORY COMMISSION

S. Dem

Washington, D.C. 20555-0001  
Holzle / Crizkett / R. Lambert / Hamell / Bergson  
Nordlinger / Chidaker / Kim / Tracy

August 7, 2002

MEMORANDUM TO: Chairman Meserve  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
Commissioner Merrifield

FROM: Dennis K. Rathbun, Director  
Office of Congressional Affairs

DR

SUBJECT: NY TIMES ARTICLE AND STAR FOUNDATION REPORT  
QUESTIONING FINANCIAL ABILITIES OF LIMITED LIABILITY  
COMPANIES OWNING NUCLEAR POWER PLANTS

Today's web version of the New York Times features an article by Matthew Wald reporting on a report released by the STAR Foundation entitled, "Financial Insecurity: The Increasing Use of Limited Liability Companies and Multi-Tiered Holding Companies to Own Nuclear Power Plants." The introduction is by former NRC Commissioner Peter Bradford.

The report asserts that a small number of companies owning an increasing number of nuclear power plants are structuring their corporations in such a manner as to be able to limit their liabilities in the case of bankruptcy. A case in point would be their Price-Anderson liability in the event of a nuclear accident.

A copy of the New York Times article and the STAR Foundation report are attached.

Attachments:  
As stated

cc: OEDO	RES	OIG	NMSS
OGC	NRR	ACNW	SECY
OGC (Cyr)	OPA	OCFO	OCAA

Contact: Tom Combs, 415-1776

Anto 227 10/16/02

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