

PMSTPCOL PEmails

From: Spencer, Michael
Sent: Thursday, January 05, 2012 5:57 PM
To: 'Frantz, Steven P.'
Subject: RE: Your request

Steve,

OK, thanks.

It may help if I give a little additional background:

1. In the latest negation action plan there is the following text in footnote 1 on page 1 of the NAP (Appendix 1D) [page 11 of 29 of Attachment 1 of the Nov. 2011 RAI response]:

This Negation Action Plan describes the measures to be implemented based upon the planned execution of the Fourth Amended and Restated Operating Agreement of Nuclear Innovation North America, LLC, and the measures described are fully effective only upon such execution.

(emphases added).

2. In March 2009, the Applicant submitted an RAI response with the "Second Amended Operating Agreement" for NINA LLC, dated February 2009.

3. In your latest proprietary log, you have the following entry for the NINA amended operating agreement: 05/08/2009 NINA Amended Operating Agreement

4. In a May 2010, RAI submission, the Applicant provided an April 9, 2010 "original operating agreement" for NINA Investment Holdings LLC.

Our questions are: (1) Does the 4th amended operating agreement exist now? (2) Is your proprietary log listing the 3rd or 4th amended operating agreement? (3) Is the "original operating agreement" for NINA Investment Holdings separate and distinct from the NINA LLC operating agreement?

Michael

From: Frantz, Steven P. [<mailto:sfrantz@morganlewis.com>]
Sent: Thursday, January 05, 2012 5:40 PM
To: Spencer, Michael
Subject: Your request

Michael,

I have received your inquiry. We are hunting down the answer, and I hope to call you on Friday with the results.

Steve

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Hearing Identifier: SouthTexas34Public_EX
Email Number: 3247

Mail Envelope Properties (AF843158D8D87443918BD3AA953ABF784E925247B3)

Subject: RE: Your request
Sent Date: 1/5/2012 5:57:11 PM
Received Date: 1/5/2012 5:57:00 PM
From: Spencer, Michael

Created By: Michael.Spencer@nrc.gov

Recipients:
"Frantz, Steven P." <sfrantz@morganlewis.com>
Tracking Status: None

Post Office: HQCLSTR02.nrc.gov

Files	Size	Date & Time
MESSAGE	2155	1/5/2012 5:57:00 PM

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received: