

1/11/2013
73 FR 2451

(1)

COMMENTS ON PROPOSED RULES, REGULATIONS OR AGENCY ACTIONS:

The notice indicated that the U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 50.80 and 10 CFR 52.28 approving the direct transfer of Early Site Permit (ESP) ESP-002, for the [[Page 2452]] Grand Gulf ESP Site, currently held by System Energy Resources, Inc. (SERI). The direct transfer of the Grand Gulf ESP would be to a new limited liability company, System Energy Resource, LLC (SERL). According to an application for approval filed by Entergy Operations, Inc., on behalf of SERI, SERL would become the holder of the ESP previously held by SERI following approval of the proposed ESP transfer.

The proposed agency action should be delayed until sufficient information is provided to the public. On January 21, 2009, President Obama jump-started the development of federal government websites by issuing a Memorandum on Transparency and Open Government (Obama, 2009, p. 4685). This memorandum emphasized that government should be transparent, participatory and collaborative. In terms of transparency, President Obama indicated that "Executive departments and agencies should harness new technologies to put information about their operations and decisions online and readily available to the public" and the President instructed the Director of Management and Budget and the Administrator of General Services to coordinate the development of the agencies and departments implementing the principals of this Open Government Directive (4685). In response, Director Orszag of the Office of Management and Budget issued an Open Government Directive on December 8, 2009, which presented a 60-day timetable to "respect the presumption of openness by publishing information online" and Director Orszag reminded the agencies that the government has defined guidelines as to the objectivity of information (Orszag, 2009, p. 1-10). The federal guidelines focused on whether the "disseminated information is being presented in an accurate, clear, complete and unbiased manner. This involves whether the information is being presented within a proper context" (Guidelines, 2001, p. 8459).

Your notice doesn't indicate who the principals of System Energy Resource, LLC are and why is this transfer necessary. Will System Energy Resources Inc. retain liability for any and all actions or omissions that took place while they owned the facility. ? Is System Energy Resource LLC being adequately capitalized?

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