

Hill, David R.

From: Spurgeon, Dennis
Sent: Thursday, November 16, 2006 5:32 AM
To: Hill, David R.
Subject: Re: USEC

I certainly agree that step #1 is for EM to confirm that the ES decommissioning proposal is in DOE's best interest and that EM would like to proceed. Assuming that is true, then we need to be sure as a next step that the legal challenge is not insurmountable. If it is not, then we have a basis to obtain the necessary approvals to move forward to try and craft a deal.

We are about to have a USEC train wreck that could have serious side effects for nuclear energy in the U.S. Like it or not, DOE is involved. Whether or not we can prevent the train wreck is questionable, but I believe we must try our best.

Sent from my BlackBerry Wireless Device

----- Original Message -----
From: Hill, David R.
To: Spurgeon, Dennis
Sent: Wed Nov 15 18:09:18 2006
Subject: RE: USEC

Figuring out the answers to all of these questions, and addressing them as appropriate with ES and/or USEC, will require a large commitment of time and resources from GC; I assume from EM, NE and maybe others as well. Before I task people to do the extensive legal analysis and negotiation that will be necessary -- particularly since I think some of the legal challenges are daunting and may even be insurmountable -- I want to know that the Department is interested in taking on all of the non-legal challenges that the proposal presents. In order to get that, I think we need a more concrete proposal from ES/USEC, we need to have a further read from Jim Rispoli, and we need to have a discussion with David G. and maybe with S-2 and S-1. drh

-----Original Message-----
From: Spurgeon, Dennis
Sent: Wednesday, November 15, 2006 4:35 PM
To: Hill, David R.
Subject: Re: USEC

Understand the challenges. Do we have solutions and a path forward??

Sent from my BlackBerry Wireless Device

----- Original Message -----
From: Hill, David R.
To: Spurgeon, Dennis; Rispoli, James
Sent: Wed Nov 15 14:45:34 2006
Subject: USEC

I (along with Eric Fygi and Mary Egger) have given some thought to the USEC-ES proposal discussed with us a couple of weeks ago. The proposal would present a number of thorny legal issues for DOE; attached is a brief rundown of some of them. We can discuss again at your convenience. drh