

January 12, 2023

DUKE ENERGY INDIANA
COMMENTS ON IURC'S DRAFT PROPOSED RULE REGARDING
SMALL MODULAR NUCLEAR REACTORS (RM#22-05)

I. INTRODUCTION

Duke Energy Indiana, LLC (“Duke Energy Indiana” or “Company”) appreciates the opportunity to review and comment on the draft proposed rules regarding small modular nuclear reactors (SMRs) as proposed by the Indiana Utility Regulatory Commission (“IURC” or “Commission”). Duke Energy owns and operates nuclear facilities in its other jurisdictions and welcomes the opportunity to provide its insights to the Commission.

II. REPORTS TO AND FROM THE NUCLEAR REGULATORY COMMISSION

Duke Energy Indiana requests the Commission edit or delete 170 IAC 4-11-6 of the current draft rule. Providing documentation to the Commission should be an informative exercise that does not create an undue burden on a company or the Commission. Owning and operating nuclear facilities requires a high-level of communication with the United States Nuclear Regulatory Commission (“NRC”). Nuclear facilities are subject to extensive rules, regulations, and policies of the NRC, under its jurisdiction to regulate the safe operation of nuclear facilities. Duke Energy interacts with the NRC on a daily basis and is frequently audited for operational, maintenance and control of equipment and practices. The Company constantly receives and sends numerous notices and reports to the NRC based on the previously mentioned rules, regulations, and policies.

The current draft rule could require an owner of an SMR to provide the Commission with each and every report it makes to the NRC, regardless of whether the report provides meaningful information to the Commission. Doing so would not only be extremely burdensome to an owner but would also impose a significant effort on the Commission.

Duke Energy Indiana suggests that Section 6 of the draft rule either be deleted in its entirety or revised in a manner that deletes “(1) reports” and “(1) report”. If the Commission opts for the proposed edits, companies would still be required to share information related to significant notices of violations.

Duke Energy Indiana appreciates that the draft rule recognizes that such reporting should be considered confidential given the potential sensitive nature of the content of those reports.

III. CLOSING

Duke Energy Indiana appreciates the opportunity to provide comments on RM#22-05. The Company looks forward to collaborating with the Commission and interested parties through the rulemaking process.