

Mr. Larry Spigel
September 10, 2012
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Response To Comments No. 2

We have been advised by our regulatory counsel that we are not obligated to formally notify the DOE of the restatement. Insofar as any actions it may take, we do not believe further action will be taken by the DOE. In its June 18th letter, which required an increase in our letter of credit, the DOE excluded the approximately \$2.2 million related party receivable when they calculated the 'acid test ratio' based on the Same-Day Balance Sheet submitted by the Company. Accordingly, we do not believe the DOE would take any further action beyond that taken by its letter dated June 18, 2012.

Exhibit 99.1
