

Maine Yankee

321 OLD FERRY RD • WISCASSET, ME 04578-4922

July 18, 2012
OMY-12-048

Attn: Information Security Branch
Division of Security Operations
Office of Nuclear Security and Incident Response
U.S. Nuclear Regulatory Commission, DC 20555-0001

References:

- (a) **Maine Yankee Atomic Power Company
License No. DPR-36 (Docket No. 50-309, 72-30)**
- (b) **NRC Letter, B.W. Stapleton to W. Norton, Re: FOCI Determination (3/2/2012)**
- (c) **NRC Letter, L. Lund to D.A. Rocheleau, Central Vermont Public Service Corporation, Re: Request for Threshold Determination — Merger Between CVPS and Gaz Métro (6/15/2012)**
- (d) **Maine Yankee Letter, W. Norton to NRC Document Control Desk, Re: Submittal of Corrected Negation Action Plan (4/24/2012)**

Re: Notice of Change in Ownership Structure

On March 2, 2012, in Reference (b) the Nuclear Regulatory Commission (NRC) issued a favorable Foreign Ownership, Control, or Influence (FOCI) determination for Maine Yankee Atomic Power Company (Maine Yankee) in accordance with 10 C.F.R. Part 95.

As required by 10 C.F.R. 95.17(a)(1), Maine Yankee hereby notifies the NRC that on June 27, 2012, Central Vermont Public Service Corporation (CVPS) and Gaz Métro Limited Partnership (Gaz Métro) completed a merger as described in Reference (c). CVPS owns 2% of the outstanding common stock of Maine Yankee. As a result of the transaction, CVPS became an indirect wholly-owned subsidiary of Gaz Métro. CVPS is a Vermont corporation. Gaz Métro is a Canadian energy company.

Maine Yankee has previously implemented a Negation Action Plan (NAP) with respect to potential Foreign Ownership, Control or Influence (FOCI) under 10 C.F.R. Part 95, which also satisfies any potential Foreign Ownership, Control or Domination (FOCD) under 10 C.F.R. Part 50. The NAP was most recently described in Maine Yankee correspondence to the NRC dated April 24, 2012 (Reference (d)), and an NRC Confirmatory Order dated June 4, 2012. In accordance with the NAP, Maine Yankee has obtained the certifications of Stephen W. Page and Charles Watts regarding FOCD/FOCI issues. Messrs. Page and Watts are the member and alternate member, respectively, of the Maine Yankee Board of Directors as appointees of CVPS.

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Messrs. Page and Watts will be excluded from access to classified information under Maine Yankee's Facility Clearance.¹

As previously stated to the NRC in applying for the Part 95 Facility Clearance, no individual cleared or to be cleared for Maine Yankee for access to classified information will be a representative of a foreign interest. Further, as the NRC concluded in Reference (c), the merger of CVPS into Gaz Métro does not constitute a direct or indirect transfer of control of Maine Yankee. The merger also does not introduce any other issues with respect to FOCI.

Separately, Richard Manning has been appointed to the Maine Yankee Board of Directors by Maine Public Service Company (MPS), an existing Maine Yankee shareowner. MPS is an indirect wholly-owned subsidiary of Emera, Inc., a Canadian corporation. MPS has also designated Gerard Chasse as an alternate director of Maine Yankee. Mr. Chasse is already a member of the Maine Yankee Board as an appointee of Bangor Hydro-Electric Company, also an indirect wholly-owned subsidiary of Emera. In accordance with the Maine Yankee NAP, Mr. Markey and Mr. Chasse have executed certifications regarding their exclusions and responsibilities related to FOCD/FOCI matters.

If you have any questions or require additional information, please contact me, or Maine Yankee's General Counsel, Joe Fay, at (207) 350-0300.

Sincerely,



James Connell
ISFSI Manager

C: Bernard Stapleton
John Goshen

¹ Separately, as described in correspondence from CVPS to the NRC, Gaz Métro is implementing its own 10 C.F.R. Part 50 FOCD Negation Action Plan for CVPS, to assure no FOCD issues exist with respect to CVPS's ownership interest in Millstone Station, Unit 3.

Maine Yankee Atomic Power Company

Certification of Foreign Sponsor Representative

I, Gérard Chasse, am an alternate director of the Maine Yankee Atomic Power Company ("Maine Yankee"), and have been appointed to that position as a representative of Maine Public Service Corporation. I understand that Maine Public Service Corporation is an indirect wholly-owned subsidiary of a foreign corporation.

I am aware of the obligations of Maine Yankee with respect to Foreign Ownership, Control, or Domination ("FOCD") under 10 C.F.R. 50.38 and Foreign Ownership, Control, or Influence ("FOCI") under 10 C.F.R. Part 95. I am also aware of the protective measures implemented by Maine Yankee with respect to FOCD and FOCI requirements. I certify my understanding of the protective measures implemented by Maine Yankee with respect to exclusion of foreign-controlled sponsors and their representatives from access to classified information and special nuclear material. I further certify my understanding of the Maine Yankee's obligations with respect to FOCD/FOCI, and more generally with respect to compliance with the Nuclear Regulatory Commission ("NRC") license and NRC regulations. I will not seek and will not obtain access to classified information or to special nuclear material, nor will I take any action to circumvent the protective measures with respect to FOCD and FOCI implemented by Maine Yankee.

Dated: June 27, 2012

Signature: _____

Gerard Chasse

Maine Yankee Atomic Power Company

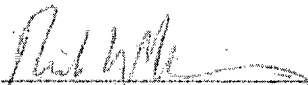
Certification of Foreign Sponsor Representative

I, Richard Manning, am a director of the Maine Yankee Atomic Power Company ("Maine Yankee"), and have been appointed to that position as a representative of Maine Public Service Corporation. I understand that Maine Public Service Corporation is an indirect wholly-owned subsidiary of a foreign corporation.

I am aware of the obligations of Maine Yankee with respect to Foreign Ownership, Control, or Domination ("FOCD") under 10 C.F.R. 50.38 and Foreign Ownership, Control, or Influence ("FOCI") under 10 C.F.R. Part 95. I am also aware of the protective measures implemented by Maine Yankee with respect to FOCD and FOCI requirements. I certify my understanding of the protective measures implemented by Maine Yankee with respect to exclusion of foreign-controlled sponsors and their representatives from access to classified information and special nuclear material. I further certify my understanding of the Maine Yankee's obligations with respect to FOCD/FOCI, and more generally with respect to compliance with the Nuclear Regulatory Commission ("NRC") license and NRC regulations. I will not seek and will not obtain access to classified information or to special nuclear material, nor will I take any action to circumvent the protective measures with respect to FOCD and FOCI implemented by Maine Yankee.

Dated: June 27, 2012

Signature: _____


Richard Manning

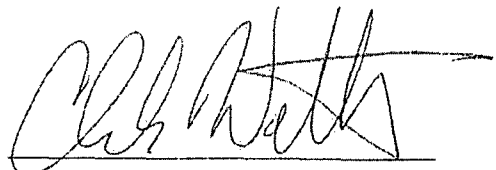
Maine Yankee Atomic Power Company

Certification of Foreign Sponsor Representative

I, Charles Watts, am a director of the Maine Yankee Atomic Power Company ("Maine Yankee"), and have been appointed to that position as a representative of Central Vermont Public Service Corporation. I understand that as of June 27, 2012, Central Vermont Public Service Corporation is an indirect wholly-owned subsidiary of a foreign corporation.

I am aware of the obligations of Maine Yankee with respect to Foreign Ownership, Control, or Domination ("FOCD") under ~~10 C.F.R.~~ 50.38 and Foreign Ownership, Control, or Influence ("FOCI") under 10 C.F.R. Part 95. I am also aware of the protective measures implemented by Maine Yankee with respect to FOCD and FOCI requirements. I certify my understanding of the protective measures implemented by Maine Yankee with respect to exclusion of foreign-controlled sponsors and their representatives from access to classified information and special nuclear material. I further certify my understanding of the Maine Yankee's obligations with respect to FOCD/FOCI, and more generally with respect to compliance with the Nuclear Regulatory Commission ("NRC") license and NRC regulations. I will not seek and will not obtain access to classified information or to special nuclear material, nor will I take any action to circumvent the protective measures with respect to FOCD and FOCI implemented by Maine Yankee.

Dated: June 26, 2012

Signature: 

Maine Yankee Atomic Power Company

Certification of Foreign Sponsor Representative

I, Stephen W. Page, am a director of the Maine Yankee Atomic Power Company ("Maine Yankee"), and have been appointed to that position as a representative of Central Vermont Public Service Corporation. I understand that as of June 27, 2012, Central Vermont Public Service Corporation is an indirect wholly-owned subsidiary of a foreign corporation.

I am aware of the obligations of **Maine** Yankee with respect to Foreign Ownership, Control, or Domination ("FOCD") under ~~10 C.F.R.~~ 50.38 and Foreign Ownership, Control, or Influence ("FOCI") under 10 C.F.R. Part 95. I am also aware of the protective measures implemented by Maine Yankee with respect to FOCD and FOCI requirements. I certify my understanding of the protective measures implemented by Maine Yankee with respect to exclusion of foreign-controlled sponsors and their representatives from access to classified information and special nuclear material. I further certify my understanding of the Maine Yankee's obligations with respect to FOCD/FOCI, and more generally with respect to compliance with the Nuclear Regulatory Commission ("NRC") license and NRC regulations. I will not seek and will not obtain access to classified information or to special nuclear material, nor will I take any action to circumvent the protective measures with respect to FOCD and FOCI implemented by Maine Yankee.

Dated: June 25, 2012

Signature: Stephen W. Page