

January 9, 2014

Rafael Flores, Senior Vice President  
Nuclear Engineering & Support  
Luminant Generation Company, LLC.  
P.O. Box 1002  
Glen Rose, TX 76043

SUBJECT: LUMINANT GENERATION COMPANY, LLC. - REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR COMANCHE PEAK  
NUCLEAR POWER PLANT, UNITS 3 AND 4, COMBINED LICENSE  
APPLICATION PART 1, "ADMINISTRATIVE AND FINANCIAL INFORMATION,"  
REVISION 4

Dear Mr. Flores:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated November 26, 2013, you submitted an affidavit, dated November 25, 2013, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4  
DOCKET NUMBERS 52-034 AND 52-035  
COMBINED LICENSE APPLICATION REVISION 4

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room (ML13344B515).

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reason:

- Luminant and CPNPC [Comanche Peak Nuclear Power Company LLC] are providing information in support of the combined license (COL) application for Comanche Peak Nuclear Power Plant, Units 3 and 4. Part 1 of this application contains pro forma financial information and other information related to the financing and development of Units 3 and 4 and certain non-public information concerning the investment in CPNPC by its members, Luminant, through its wholly owned subsidiary, Nuclear Energy Future Holdings II LLC, and MHI [Mitsubishi Heavy Industries], through its wholly owned subsidiary, MHI Nuclear North America, Inc., all of which is considered confidential and sensitive business information. Its disclosure would place CPNPC and its members at a distinct disadvantage in conducting business as

competitors could analyze the data to identify strengths and weaknesses, and then seek to capitalize on those perceived strengths and weaknesses.

We have reviewed your application and the materials in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the versions of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriated agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future, such that the information could then be available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at (301) 415-1544, or via e-mail at [Stephen.Monarque@nrc.gov](mailto:Stephen.Monarque@nrc.gov).

Sincerely,

*/RA/*

Stephen Monarque, Project Manager  
Licensing Branch 2  
Division of New Reactor Licensing  
Office of New Reactors

Docket Nos. 52-034 and 52-035

cc: See next page

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If you have any questions regarding this matter, I may be reached at (301) 415-1544, or via e-mail at [Stephen.Monarque@nrc.gov](mailto:Stephen.Monarque@nrc.gov).

Sincerely,

/RA/

Stephen Monarque, Project Manager  
Licensing Branch 2  
Division of New Reactor Licensing  
Office of New Reactors

Docket Nos. 52-034 and 52-035

cc: See next page

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**NRO-002**

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<b>DATE</b>	01/09/2014	01/08/2014	01/09/2014

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DC Mitsubishi - US APWR Mailing List  
cc:

(Revised 07/25/2013)

Mr. Robert E. Sweeney  
IBEX ESI  
4641 Montgomery Avenue  
Suite 350  
Bethesda, MD 20814

Mr. Gary Wright, Director  
Division of Nuclear Facility Safety  
Illinois Emergency Management Agency  
1035 Outer Park Drive  
Springfield, IL 62704

## DC Mitsubishi - US APWR Mailing List

### Email

acpasswater@aol.com (Al Passwater)  
APH@NEI.org (Adrian Heymer)  
atsushi\_kumaki@mhi.co.jp (Atsushi Kumaki)  
awc@nei.org (Anne W. Cottingham)  
bgattoni@roe.com (William (Bill) Gattoni))  
CumminWE@Westinghouse.com (Edward W. Cummins)  
cwaltman@roe.com (C. Waltman)  
david.hinds@ge.com (David Hinds)  
david.lewis@pillsburylaw.com (David Lewis)  
DeLaBarreR@state.gov (R. DeLaBarre)  
donald.woodlan@luminant.com (Donald Woodlan)  
eliza.seedcoalition@gmail.com (Elza Brown)  
erg-xl@cox.net (Eddie R. Grant)  
erin\_wisler@mnes-us.com (Erin Wisler)  
ewallace@nuscalepower.com (Ed Wallace)  
gcesare@enercon.com (Guy Cesare)  
hiroki\_nishio@mhi.co.jp (Hiroki Nishio)  
james1.beard@ge.com (James Beard)  
jerald.head@ge.com (Jerald G. Head)  
Joseph\_Hegner@dom.com (Joseph Hegner)  
joseph\_tapia@mnes-us.com (Joseph Tapia)  
jrappe@nuscalepower.com (Jodi Rappe)  
jrund@morganlewis.com (Jonathan Rund)  
karlg@att.net (Karl Gross)  
kevin\_lynn@mnes-us.com (Kevin Lynn)  
KSutton@morganlewis.com (Kathryn M. Sutton)  
kwaugh@impact-net.org (Kenneth O. Waugh)  
lchandler@morganlewis.com (Lawrence J. Chandler)  
lon.burnam@house.state.tx.us (Lon Burnam)  
m.goto@mnes\_us.com  
maria.webb@pillsburylaw.com (Maria Webb)  
mark.a.giles@dom.com (Mark Giles)  
masanori\_onozuka@mnes-us.com (Masanori Onozuka)  
masatoshi\_nagai@mnes-us.com (Masatoshi Nagai)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)  
media@nei.org (Scott Peterson)  
michael\_melton@mnes-us.com (Michael Melton)  
MSF@nei.org (Marvin Fertel)  
nirsnet@nirs.org (Michael Mariotte)  
Nuclaw@mindspring.com (Robert Temple)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
paul.gaukler@pillsburylaw.com (Paul Gaukler)  
Paul@beyondnuclear.org (Paul Gunter)

## DC Mitsubishi - US APWR Mailing List

pbessette@morganlewis.com (Paul Bessette)  
plarimore@talisman-intl.com (Patty Larimore)  
rebecca\_steinman@mnes-us.com (Rebecca Steinman)  
RJB@NEI.org (Russell Bell)  
ryan\_sprengel@mnes-us.com (Ryan Sprengel)  
sabinski@suddenlink.net (Steve A. Bennett)  
sfrantz@morganlewis.com (Stephen P. Frantz)  
stephan.moen@ge.com (Stephan Moen)  
strambgb@westinghouse.com (George Stramback)  
Tansel.Selekler@nuclear.energy.gov (Tansel Selekler)  
tgilder1@luminant.com (Tim Gilder)  
tmatthews@morganlewis.com (T. Matthews)  
tom.miller@hq.doe.gov (Tom Miller)  
Tony.Robinson@areva.com (Tony Robinson)  
trsmith@winston.com (Tyson Smith)  
Vanessa.quinn@dhs.gov (Vanessa Quinn)  
vijukrp@westinghouse.com (Ronald P. Vijuk)  
Wanda.K.Marshall@dom.com (Wanda K. Marshall)  
whorin@winston.com (W. Horin)  
yoshiki\_ogata@mhi.co.jp (Yoshiki Ogata)