

Constellation Energy Nuclear Group, LLC
100 Constellation Way, Suite 200C
Baltimore, MD 21202

Exelon.
Generation

CENG_{CM}

a joint venture of



10 CFR 50.80
10 CFR 50.90
10 CFR 72.50

March 28, 2014

U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

ATTENTION: Document Control Desk

SUBJECT: **Calvert Cliffs Nuclear Power Plant, Units 1 and 2**
Renewed Facility Operating License Nos. DPR-53 and DPR-69
Docket Nos. 50-317 and 50-318
Calvert Cliffs Independent Spent Fuel Storage Installation
Materials License No. SNM-2505
Docket No. 72-8
Nine Mile Point Nuclear Station, Units 1 and 2
Renewed Facility Operating License Nos. DPR-63 and NPF-69
Docket Nos. 50-220 and 50-410
Nine Mile Point Nuclear Station, Independent Spent Fuel Storage Installation
General License
Docket No. 72-1036
R.E. Ginna Nuclear Power Plant
Renewed Facility Operating License No. DPR-18
Docket No. 50-244
R.E. Ginna Independent Spent Fuel Storage Installation
General License
Docket No. 72-67

Response to NRC's Request for Affidavit Supporting Request for Designation of
Proprietary Information

REFERENCE: (a) Email from N. S. Morgan (NRC) to E. M. Tyler (CENG), dated March 26,
2014, Affidavit Requested for Proprietary Information

The purpose of this letter is to provide designations of proprietary information that Constellation Energy Nuclear Group, LLC (CENG), acting on behalf of itself, Exelon Generation Company, LLC, and its

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subsidiary licensees, Calvert Cliffs Nuclear Power Plant, LLC, Nine Mile Point Nuclear Station, LLC, and R.E. Ginna Nuclear Power Plant, LLC (together, Applicants) has identified in the NRC staff's Safety Evaluation supporting Orders approving the direct transfer of operating authority for the above-captioned licenses to Exelon Generation Company, LLC. Applicants previously submitted proprietary information to the NRC staff with appropriate requests under 10 C.F.R. 2.390(a)(4) to protect the proprietary information from public disclosure. The Safety Evaluation includes proprietary data and non-public information regarding, based upon, or derived from the proprietary information previously submitted by Applicants. In addition, CENG has identified statements in the Safety Evaluation which it believes are factually inaccurate and has provided revised language for the NRC's consideration. None of these statements impact the NRC staff's conclusions. However, absent correction, the statements may be misleading to members of the public.

Attachment 1 contains a copy of the NRC staff's Safety Evaluation with a mark-up showing suggested corrections (in redline) and blue highlights to designate information that is proprietary and should be withheld from disclosure pursuant to 10 CFR 2.390(a)(4). Attachment 2 is an affidavit supporting Applicant's position regarding the proprietary nature of the information in Attachment 1.

This correspondence does not contain any regulatory commitments.

If there are any questions regarding this transmittal, please contact me at (443)-532-6533.

Sincerely,



Bruce S. Montgomery
Manager, Fleet Nuclear Safety and Security

BSM/EMT

Attachments: (1) Mark up of NRC Safety Evaluation (With Proprietary Designations)
(2) 10 CFR 2.390 Affidavit of Bryan P. Wright

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cc: **(With Attachment 1)**

NRC Project Manager, Calvert Cliffs

NRC Project Manager, Ginna

NRC Project Manager, Nine Mile Point

Regional Administrator, NRC Region I

Susan Uttal, NRC Office of General Counsel

(Without Attachment 1)

USNRC, Director, Office of Nuclear Reactor Regulation

USNRC, Director, Office of Nuclear Material Safety and Safeguards

NRC Resident Inspector – Calvert Cliffs

NRC Resident Inspector – Nine Mile Point

NRC Resident Inspector –Ginna

S. Gray, Maryland DNR

ATTACHMENT (2)

10 CFR 2.390 AFFIDAVIT OF BRYAN P. WRIGHT

**Constellation Energy Nuclear Group, LLC
March 28, 2014**

AFFIDAVIT

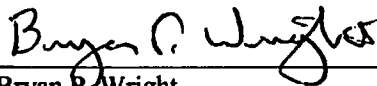
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
Constellation Energy Nuclear Group, LLC, et al.)

AFFIDAVIT

I, Bryan P. Wright, Senior Vice President and Chief Financial Officer of Exelon Generation Company, LLC (Exelon Generation), do hereby affirm and state:

1. I am authorized to execute this affidavit on behalf of the Applicants.
2. Applicants provided confidential, proprietary financial information in support of their application for an Order approving license transfers. The NRC staff has included non-public information in its Safety Evaluation, including proprietary data and information regarding, based upon, or derived from the proprietary data and information previously provided to the NRC with appropriate requests to protect the confidentiality of the information. Applicants have marked the Safety Evaluation in Attachment (1) with blue highlights to designate proprietary non-public information. The underlying information is proprietary financial information and financial projections related to the ownership and operation of the Owner Licensees' generation assets. Thus, the blue highlighted provisions constitute proprietary commercial and financial information that should be held in confidence by the NRC pursuant to the policy reflected in 10 CFR §§ 2.390(a)(4) and 9.17(a)(4), because:
 - i. This information is and has been held in confidence by the Applicants.
 - ii. This information is of a type that is customarily held in confidence by the Applicants, and there is a rational basis for doing so because the information contains sensitive financial information concerning projected revenues and operating expenses of the Applicants. The information is previously undisclosed financial information about the profitability of individual nuclear plant sites and business units. Applicants submitted the underlying information from which the NRC staff derived the proprietary information in the Safety Evaluation in confidence, with appropriate requests to protect the confidentiality of the information
 - iii. This information was transmitted to the NRC voluntarily and in confidence.
 - iv. The information is not available in public sources and could not be gathered readily from other publicly available information.
 - v. Public disclosure of this information would create substantial harm to the competitive position of the Applicants by disclosing their internal financial projections.
3. Accordingly, the Applicants request that the designated documents be withheld from public disclosure pursuant to the policy reflected in 10 CFR §§ 2.390(a)(4) and 9.17(a)(4).


Bryan P. Wright

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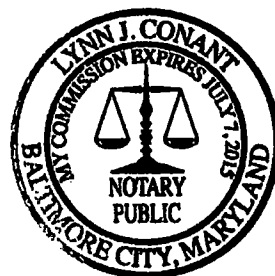
Subscribed and sworn before me, a Notary Public, in and for the State of Maryland and City of Baltimore this 27th day of March, 2014.

WITNESS my hand and Notarial Seal:

Lynn J. Conant
Notary Public

My Commission Expires:

7/7/15
Date



AFFIDAVIT

Subscribed and sworn before me, a Notary Public, in and for the State of Maryland and City of Baltimore this 27th day of March, 2014.

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