

August 10, 2022

Docket No.: 52-025

ND-22-0654
10 CFR 140.21
10 CFR 2.390

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Southern Nuclear Operating Company
Vogtle Electric Generating Plant Unit 3
Licensee Guarantees of Payment of Deferred Premiums

Ladies and Gentlemen:

This submittal is made with regard to Vogtle Electric Generating Plant Unit 3 (VEGP 3), license number NPF-91, pursuant to the reporting requirements of 10 CFR 140.21. The requirements of 140.21 include, at the issuance of the license, providing evidence to the Commission that it maintains a guarantee of payment of deferred premium for each reactor the licensee is licensed to operate. Per the Price-Anderson Amendments Act, each licensee maintains a guarantee of payment of deferred premium in the amount of \$20.496 million for each reactor it is licensed to operate. Southern Nuclear Operating Company (SNC) maintains nuclear liability endorsements through Marsh USA for VEGP Unit 3 under the American Nuclear Insurer's (ANI) Master Policy – Nuclear Energy Liability Insurance (Secondary Financial Protection), which became effective at the time of the 10 CFR 52.103(g) finding.

Enclosure 1 contains the certificate of insurance executed by the VEGP 3 co-owners. **The certificate of insurance contains Proprietary information; therefore, SNC requests that these documents be withheld from public disclosure under 10 CFR 2.390.**

In the future, Marsh USA will provide certificates of insurance evidencing this coverage to the U.S. Nuclear Regulatory Commission (NRC) Document Control Desk. The annual financial reports required by 10 CFR 140.21 for the three SNC nuclear sites are made in a single report (see SNC letter NL-22-0221 [NRC ADAMS Accession Number ML22087A499] for the most recent annual submittal). Reporting for VEGP 3 will be included in that annual report moving forward.

Enclosure 2 provides the SNC affidavit for withholding proprietary information contained in Enclosure 1. SNC requests that the proprietary information contained in Enclosure 1 continue to be withheld from public disclosure pursuant to 10 CFR 2.390.

This letter contains no NRC commitments.

If you have any questions regarding this letter, please contact Ms. Amy Chamberlain at (205) 992-6361.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 10th of August, 2022.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian H. Whitley", is written over a horizontal line.

Brian H. Whitley
Regulatory Affairs Director
Southern Nuclear Operating Company

- Enclosures:
- 1) Vogtle Electric Generating Plant (VEGP) Unit 3, Certificate of Insurance
[Note: Contains Proprietary Information – Withhold from Public Disclosure Under 10 CFR 2.390]
 - 2) Vogtle Electric Generating Plant (VEGP) Unit 3, Affidavit from Southern Nuclear Operating Company for Withholding Under 10 CFR 2.390

cc:

Southern Nuclear Operating Company / Georgia Power Company

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Southern Nuclear Operating Company

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Enclosure 2

Vogtle Electric Generating Plant (VEGP) Unit 3

Affidavit from Southern Nuclear Operating Company for Withholding Under 10 CFR 2.390

(This Enclosure consists of 3 pages, including this cover page)

Affidavit of Brian H. Whitley

1. My name is Brian H. Whitley. I am the Regulatory Affairs Director of Southern Nuclear Operating Company (SNC). I have been delegated the function of reviewing proprietary information sought to be withheld from public disclosure and am authorized to apply for its withholding on behalf of SNC.
2. I am making this affidavit on personal knowledge, in conformance with the provisions of 10 CFR Section 2.390 of the Commission's regulations, and in conjunction with SNC's filing on docket 52-025, Vogtle Electric Generating Plant Unit 3, Licensee Guarantees of Payment of Deferred Premiums. I have personal knowledge of the criteria and procedures used by SNC to designate information as a trade secret, privileged or as confidential commercial or financial information.
3. Based on the reason(s) at 10 CFR 2.390(a)(4), this affidavit seeks to withhold from public disclosure Enclosure 1 of SNC letter ND-22-0654 for Vogtle Electric Generating Plant Unit 3, Licensee Guarantees of Payment of Deferred Premiums.
4. The following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
 - a. The information sought to be withheld from public disclosure has been held in confidence by SNC.
 - b. The information is of a type customarily held in confidence by SNC and not customarily disclosed to the public.
 - c. The release of the information might result in the loss of an existing or potential competitive advantage to SNC.
5. Additionally, release of the information may harm SNC because SNC has a contractual relationship with the co-owners of VEGP 3. SNC is contractually obligated to seek confidential and proprietary treatment of the information.
6. The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.390, it is to be received in confidence by the Commission.
7. To the best of my knowledge and belief, the information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method.

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Enclosure 2

Affidavit from Southern Nuclear Operating Company for Withholding Under 10 CFR 2.390

I declare under penalty of perjury that the foregoing is true and correct.

B. H. Whitley

Brian H. Whitley

Executed on 8/10/22

Date