



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 9, 2022

Mr. Kevin Cimorelli
Site Vice President
Susquehanna Nuclear, LLC
769 Salem Boulevard
NUCSB3
Berwick, PA 18603-0467

SUBJECT: SUSQUEHANNA STEAM ELECTRIC STATION, UNITS 1 AND 2 - REQUEST
FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2022-LLM-0003)

Dear Mr. Cimorelli:

By letter PLA-8015 dated September 29, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML22272A604), Susquehanna Nuclear, LLC (the licensee) submitted a declaration dated September 22, 2022, which was executed by Mr. Brad Berryman for Susquehanna Nuclear, LLC and Talen Energy Supply, LLC (Talen), requesting that the U.S. Nuclear Regulatory Commission (NRC) withhold the following portion of Enclosure 1 to letter PLA-8015 from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- Addendum to Exhibit D, "Pro Forma Income Statement and Cash Flow Statement" (Exhibit D, "Pro Forma Income Statement and Cash Flow Statement (Non-Proprietary Version)," is a nonproprietary version Exhibit D and is available in ADAMS at Accession No. ML22272A604.)

By letter PLA-8032 dated October 28, 2022 (ML22301A205), the licensee submitted a declaration dated October 28, 2022, which was executed by Mr. Brad Berryman for Susquehanna Nuclear, LLC and Talen, requesting that the NRC withhold the following portion of Enclosure 1 to letter PLA-8032 from public disclosure pursuant to 10 CFR, Part 2, Section 2.390:

- Addendum to Exhibit A, "Pro Forma Income Statement and Cash Flow Statement" (Exhibit A, "Pro Forma Income Statement and Cash Flow Statement (Non-Proprietary Version)," is a nonproprietary version Exhibit A and is available in ADAMS at Accession No. ML22301A205.)

The declarations dated September 22, 2022, and October 28, 2022, stated that the submitted information in Addendum to Exhibit D of Enclosure 1 of letter PLA-8015 and in Addendum to

Exhibit A of Enclosure 1 of letter PLA-8032 should be considered exempt from mandatory public disclosure for the following reasons:

- 2.a It contains information that is held in confidence by Talen and its affiliates.
- 2.b This information is of a type that is customarily held in confidence by Talen and its affiliates and there is a rational basis for doing so because the information contains sensitive financial competitive information concerning Susquehanna Steam Electric Station's anticipated revenues and operating expenses.
- 2.c This information is being transmitted to the NRC in confidence.
- 2.d This information is not available in public sources and could not be gathered readily from publicly available information.
- 2.e Public disclosure of this information would create substantial financial harm to the competitive position of Talen and its affiliates by disclosing the internal financial pro forma statements and commercial information for Susquehanna Steam Electric Station to other parties who commercial interests may be adverse to those of Talen.

The NRC staff has reviewed the submittals in accordance with the requirements of 10 CFR 2.390 and, based on the statements in the declarations, has determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the NRC will withhold the aforementioned documents marked as proprietary 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, the NRC may send copies of this information to its consultants. The NRC will ensure that its consultants have signed the appropriate 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 made available for public inspection, the licensee should promptly notify the NRC. The NRC may revisit this determination in the future if, for example, the scope of a Freedom of Information Act request includes this information. The NRC will notify the licensee in advance of any public disclosure if the NRC makes such a determination.

Any questions about this matter can be directed to me at 301-415-0489 or Audrey.Klett@nrc.gov. [mailto:](mailto:Audrey.Klett@nrc.gov)

Sincerely,

/RA/

Audrey Klett, Senior Project Manager
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-387 and 50-388

cc: Brad Berryman
President and Chief Nuclear Officer
Susquehanna Nuclear, LLC
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Listserv

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