

J. A. "Buzz" Miller  
Senior Vice President  
Nuclear Development

**Southern Nuclear  
Operating Company, Inc.**  
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March 28, 2008

AR-08-0436

10 CFR 2.390(b)  
10 CFR 52.77  
10 CFR 50.33(f)  
10 CFR 50, Appendix C

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

Southern Nuclear Operating Company  
Project Number: 00755  
Vogtle Electric Generating Plant Units 3 and 4 Combined License Application  
Part 1, Appendix 1A – Estimated Total Construction Costs  
(Note: Enclosure 2 Contains Proprietary Information)

Ladies and Gentlemen:

In letter dated March 28, 2008, Southern Nuclear Operating Company (SNC) submitted an application for combined licenses (COLs) for two AP1000 advanced passive pressurized water reactors in accordance with the requirements contained in 10 CFR 52. These reactors will be identified as Vogtle Electric Generating Plant (VEGP) Units 3 and 4, and will be located on the existing VEGP site in Burke County, Georgia. In that letter, SNC specified that Appendix 1A to Part 1 of the COL Application, involving estimated total construction costs for these new units, was provided in a separate submittal. This letter provides the construction cost information in Enclosure 2. The entire enclosure of the construction cost estimate is considered proprietary in that it contains confidential contract information. Thus, SNC requests that Enclosure 2 be withheld from public disclosure in accordance with the requirements contained in 10 CFR 2.390(b). An affidavit for withholding executed by Southern Nuclear is provided as Enclosure 1.

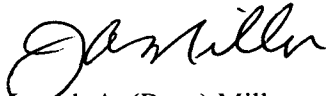
The SNC licensing contact for this letter is W. A. Sparkman at (205) 992-5061 or A. G. Aughtman at (205) 992-5805.

D079  
NR0

Mr. J. A. (Buzz) Miller states he is a Senior Vice President of Southern Nuclear Operating Company, is authorized to execute this oath on behalf of Southern Nuclear Operating Company and to the best of his knowledge and belief, the facts set forth in this letter are true.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY

  
Joseph A. (Buzz) Miller

Sworn to and subscribed before me this 28<sup>th</sup> day of March, 2008

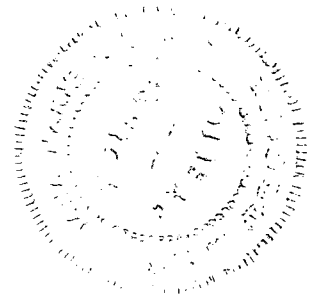
Notary Public: Dana M. Williams

My commission expires: 12/29/2010

JAM/BJS/dmw

Enclosures:

1. Affidavit for Withholding
2. Vogtle Electric Generating Plant, Units 3 and 4 COL Application Part 1, Appendix 1A



cc: Southern Nuclear Operating Company

Mr. J. B. Beasley, Jr., President and CEO (w/o)  
Mr. J. T. Gasser, Executive Vice President, Nuclear Operations (w/o)  
Mr. T. E. Tynan, Vice President - Vogtle (w/o)  
Mr. D. M. Lloyd, Vogtle Deployment Director  
Mr. C. R. Pierce, Vogtle Deployment Licensing Manager  
Document Services RTYPE: AR01 (w/o)  
File AR.01.02.06 (w/o)

Nuclear Regulatory Commission

Mr. R. W. Borchardt, Director of Office of Nuclear Regulation (w/o)  
Mr. V. M. McCree, Acting Regional Administrator (w/o)  
Mr. D. B. Matthews, Director of New Reactors (w/o)  
Ms. S. M. Coffin, AP1000 Manager of New Reactors (w/o)  
Mr. M. M. Comar, Project Manager of New Reactors (w/o)  
Mr. J. E. Lyons, Director of Site and Environmental Review (w/o)  
Mr. W. F. Burton, Chief – Environmental Technical Support (w/o)  
Mr. M. D. Notich, Environmental Project Manager (w/o)  
Mr. G. J. McCoy, Senior Resident Inspector of VEGP (w/o)

Georgia Power Company

Mr. O. C. Harper, Vice President, Resource Planning and Nuclear Development (w/o)

Oglethorpe Power Corporation

Mr. M. W. Price, Chief Operating Officer (w/o)

Municipal Electric Authority of Georgia

Mr. C. B. Manning, Senior Vice President and Chief Operating Officer (w/o)

Dalton Utilities

Mr. D. Cope, President and Chief Executive Officer (w/o)

Burke County Chief Executive

Mr. James M. Dixon, Chairman, Burke County Board of Commissioners (w/o)

**Southern Nuclear Operating Company**

**AR-08-0436**

**Enclosure 1**

**Affidavit for Withholding**

## **AFFIDAVIT OF JOSEPH A. (BUZZ) MILLER**

1. I am Senior Vice President, Nuclear Development, and as such have the responsibility for reviewing the information sought to be withheld from public disclosure in connection with and am authorized to apply for its withholding on behalf of Southern Nuclear Operating Company (SNC).
2. I am making this affidavit in accordance with 10 CFR § 2.390 and 10 CFR § 9.17 of the regulations of the Nuclear Regulatory Commission (NRC) and in conjunction with SNC's application for withholding which accompanies this affidavit.
3. The information sought to be withheld consists of confidential and proprietary information concerning the estimated construction costs of the two AP1000 units for which approval is sought in SNC's application for a combined license (COL). I have knowledge of the criteria used by SNC in designating information as sensitive, proprietary, or confidential.
4. Pursuant to the provisions of 10 CFR § 2.390(a)(4) and 10 CFR § 9.17(a)(4), the following is furnished in support of SNC's request that the information be withheld from public disclosure.
  - a. The information sought to be withheld from public disclosure is owned by SNC and has been held in confidence by SNC and its Principals.
  - b. The information sought to be protected is not available to the public to the best of our knowledge and belief.
  - c. The information is of the type that would customarily be held in confidence by SNC. This financial information consists of SNC's projection for construction, financing and fuel supply costs. Public disclosure of this information is likely to cause harm to SNC because it would allow contractors, vendors, and competitors to understand SNC's competitive position and schedule prior to securing the related contracts and services.
  - d. The proprietary information sought to be withheld from public disclosure is identified in Enclosure 2 to Southern Nuclear letter number AR-08-0436 and is marked as proprietary as it appears in the Enclosure.
  - e. The information was transmitted to the NRC in confidence and under the provisions of 10 CFR § 2.390; it is to be received in confidence by the NRC.

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Affidavit

Joseph A. Miller, being duly sworn, states that he is Senior Vice President, Nuclear Development, Southern Nuclear Operating Company, Inc., that he is authorized on the part of said Company to sign and file with the U.S. Nuclear Regulatory Commission this affidavit for the Vogtle Electric Generating Plant, and that all the matters and facts set forth herein are true and correct to the best of his knowledge.

*Joseph A. Miller*

Joseph A. (Buzz) Miller, Senior Vice President

Sworn to and subscribed before me this 31<sup>st</sup> day of March, 2008

Notary Public: Dana M. Williams

My commission expires: 12/29/2010

