

April 25, 2000

Mr. Gerald R. Rainey
Chief Executive Officer & Chief
Nuclear Officer
AmerGen Vermont, LLC
965 Chesterbrook Blvd.
Wayne, PA 19087

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,
VERMONT YANKEE NUCLEAR POWER STATION (TAC NO. MA7875)

Dear Mr. Rainey:

By letter dated March 30, 2000, Vermont Yankee Nuclear Power Corporation responded to our request for additional information dated March 13, 2000, associated with the requested license transfer for Vermont Yankee Nuclear Power Station. The March 30, 2000, letter also submitted your affidavit dated March 27, 2000, in which you request that attachment 2 to the March 30 letter be withheld from public disclosure pursuant to 10 CFR 9.17(a)(4) and 10 CFR 2.790(a)(4).

The affidavit stated that the attachment should be considered exempt from mandatory public disclosure for the following reasons:

1. This information is and has been held in confidence by AmerGen Vermont.
2. This information is of a type that is held in confidence by AmerGen Vermont, and there is a rational basis for doing so because the information contains sensitive financial information concerning AmerGen Vermont's projected revenues and operating expenses.
3. This information is being transmitted to the NRC in confidence.
4. This information is not available in public sources and could not be gathered readily from other publicly available information.
5. Public disclosure of this information would create substantial harm to the competitive position of AmerGen Vermont by disclosing AmerGen Vermont's internal financial projections and the commercial terms of a unique transaction to other parties whose commercial interests may be adverse to those of AmerGen Vermont.

We have reviewed attachment 2 to the March 30, 2000, letter in accordance with the requirements of 10 CFR 9.17(a)(4) and 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the attachment will be withheld from public disclosure pursuant to 10 CFR 2.790(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 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, 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 301-415-1475.

Sincerely,

/RA/

Richard P. Croteau, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: See next page

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/RA/

Richard P. Croteau, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-271

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Vermont Yankee Nuclear Power Station

cc:

Mr. Samuel L. Newton
Vice President Operations
Vermont Yankee Nuclear Power Corp.
185 Old Ferry Road
Brattleboro, VT 05301

Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Mr. David R. Lewis
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, DC 20037-1128

Mr. Richard P. Sedano, Commissioner
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620-2601

Mr. Michael H. Dworkin, Chairman
Public Service Board
State of Vermont
112 State Street
Montpelier, VT 05620-2701

Chairman, Board of Selectmen
Town of Vernon
P.O. Box 116
Vernon, VT 05354-0116

Mr. Richard E. McCullough
Operating Experience Coordinator
Vermont Yankee Nuclear Power Station
P.O. Box 157
Governor Hunt Road
Vernon, VT 05354

G. Dana Bisbee, Esq.
Deputy Attorney General
33 Capitol Street
Concord, NH 03301-6937

Chief, Safety Unit
Office of the Attorney General
One Ashburton Place, 19th Floor

Boston, MA 02108

Ms. Deborah B. Katz
Box 83
Shelburne Falls, MA 01370

Mr. Raymond N. McCandless
Vermont Department of Health
Division of Occupational
and Radiological Health
108 Cherry Street
Burlington, VT 05402

Mr. Gautam Sen
Licensing Manager
Vermont Yankee Nuclear Power
Corporation
185 Old Ferry Road
Brattleboro, VT 05301

Resident Inspector
Vermont Yankee Nuclear Power Station
U. S. Nuclear Regulatory Commission
P.O. Box 176
Vernon, VT 05354

Director, Massachusetts Emergency
Management Agency
ATTN: James Muckerheide
400 Worcester Rd.
Framingham, MA 01702-5399

Jonathan M. Block, Esq.
Main Street
P. O. Box 566
Putney, VT 05346-0566