

February 6, 2001

Mr. Charles H. Cruse
Vice President - Nuclear Energy
Calvert Cliffs Nuclear Power Plant, Inc.
Calvert Cliffs Nuclear Power Plant
1650 Calvert Cliffs Parkway
Lusby, MD 20657-4702

SUBJECT: CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2 -
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NOS. MB0890 AND MB0891)

Dear Mr. Cruse:

By your application and affidavit dated December 20, 2000, you submitted proprietary documents entitled, "Application for the Transfer and Amendment of Renewed Operating License Nos. DPR-53 and DPR-69; Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2" and "Application for the Transfer and Amendment of Materials License No. SNM-2505 for the Calvert Cliffs Independent Spent Fuel Storage Installation" and requested that they be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary copy of this document has been placed in the NRC public document room and added to the Agencywide Documents Access and Management Systems Public Available Records System (ADAMS PARS) Library.

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

1. This information is held in confidence by Calvert Cliffs Nuclear Power Plant, Inc., and there is a rational basis for doing so because the information contains sensitive financial information concerning the projected revenues and operating expenses of Calvert Cliffs Nuclear Power Plant, LLC, Constellation Energy Group, Inc., and other affiliated entities.
2. This information is being transmitted to the Nuclear Regulatory Commission in confidence.
3. This information is not available in public sources and could not be gathered readily from other publicly available information.
4. Public disclosure of this information would create substantial harm to the competitive position of Calvert Cliffs Nuclear Power Plant, LLC, Constellation Energy Group, Inc., and other affiliated entities by disclosing internal financial projections for these entities and the

commercial terms of a unique transaction to other parties whose commercial interests may be adverse to those of these entities.

We have reviewed your submittal and your material in accordance with the requirements of 10 CFR 2.790 and, on the basis of statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information and should be withheld from public disclosure.

Therefore, we have determined that the documents entitled, "Application for the Transfer of Renewed Operating License Nos. DPR-53 and DPR-69; Calvert Cliffs Nuclear Power Plant Unit Nos. 1 and 2" and "Application for the Transfer and Amendment of Materials License No. SNM-2505 for the Calvert Cliffs Independent Spent Fuel Storage Installation" marked as proprietary 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 document. 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 should also 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) 415-1322.

Sincerely,

/RA/

Donna M. Skay, Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-317, 50-318, and 72-8

cc: See next page

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Donna M. Skay, Project Manager, Section 1
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Unit Nos. 1 and 2

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