

**Constellation  
Nuclear**

10 CFR §§ 50.80 and 50.90

*A Member of the*

*Constellation Energy Group*

**ATTACHMENTS CONTAIN PROPRIETARY INFORMATION**

April 5, 2001  
NMP1L-1587

U. S. Nuclear Regulatory Commission  
Document Control Desk

Washington DC 20555

**Re:** Nine Mile Point Unit Nos. 1 & 2  
Docket Nos. 50-220 & 50-410  
Facility Operating License Nos. DPR-63 & NPF-69  
Amendment of Application for License Transfer: Proprietary Information  
TAC Nos. MB0878 (Unit 1) and MB0879 (Unit 2)

**Ref.(a):** Application for License Transfers and  
Conforming Administrative License Amendments  
TAC Nos. MB0878 (Unit 1) and MB0879 (Unit 2), filed February 1, 2001

Ladies and Gentlemen:

On February 1, 2001, Constellation Nuclear, LLC (on behalf of its indirect subsidiary Nine Mile Point Nuclear Station, LLC), Niagara Mohawk Power Corporation, New York State Electric & Gas Corporation, Rochester Gas and Electric Corporation, and Central Hudson Gas & Electric Corporation, filed an application for an order and conforming administrative amendments for the transfer of the NRC facility operating licenses for Nine Mile Point, Units 1 and 2.

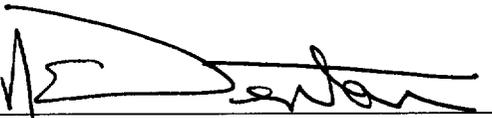
It has come to our attention that two of the pieces of financial information that were treated as proprietary in the application have previously been made public. In view of this fact, we are resubmitting with this letter the relevant page (page 23) of the non-proprietary version of the application (Attachment 2 to Constellation Nuclear, LLC's letter of February 1, 2001) revised to include the information that was previously redacted. We are also submitting with this letter the same page of the proprietary version of the application (Attachment 1 to the February 1, 2001 letter) revised to no longer identify this information as proprietary. Because this latter page continues to include other information that remains proprietary, we hereby ask that this revised proprietary page be withheld from public disclosure pursuant to the

APD1

request for proprietary treatment set forth in the letter transmitting the application, and for the reasons set forth in the Affidavit of Robert E. Denton included in the February 1, 2001 application.

Should the NRC require additional information concerning this matter, please contact Stephen A. Mormann, Vice President and Treasurer, Constellation Nuclear, LLC, 39 W. Lexington Street Baltimore, MD 21201.

Very truly yours,



Robert E. Denton  
President and Chief Executive Officer  
Constellation Nuclear, LLC

Enclosures: Affirmation

cc: Mr. H. J. Miller, NRC Regional Administrator, Region I  
Ms. M. K. Gamberoni, Section Chief PD-I, Section 1, NRR  
Mr. G. K. Hunegs, NRC Senior Resident Inspector  
Mr. P. S. Tam, Senior Project Manager, NRR  
Mr. J. P. Spath  
NYSERDA  
286 Washington Avenue Ext.  
Albany, NY 12203-6399

AFFIRMATION

I, Robert E. Denton, being duly sworn, state that I am President and Chief Executive Officer, of Constellation Nuclear, LLC, and that I am authorized to sign and file the enclosed letter with the Nuclear Regulatory Commission on behalf of Constellation Nuclear, LLC, and that the statements made and the matters set forth therein pertaining to Constellation Nuclear, LLC, Nine Mile Point Nuclear Station, LLC and related entities are true and correct to the best of my knowledge, information and belief.

Constellation Nuclear, LLC



Robert E. Denton  
President and Chief Executive Officer  
Constellation Nuclear, LLC

State of Maryland  
City of Baltimore

Subscribed and sworn to me, a Notary Public, in and for the County and State above named, this 5<sup>th</sup> day of April, 2001.

My Commission Expires:

July 1, 2002

Minnie L. Robinson  
(Notary Public)

The cash pool and CEG's commercial paper program are extremely liquid and can provide cash to meet operating and maintenance expenses usually on the same day such needs are identified. Currently CEG has a \$500 million commercial paper program rated A1/P1 by Standard & Poor's and Moody's, respectively. It currently has credit agreements and committed bank lines of credit totaling \$565 million to support its commercial paper program. CEG's commercial paper balances averaged [\$ ] per month since the cash pool was created in July of 1999.

CEG and NMP LLC will enter into an inter-company credit agreement whereby CEG will provide NMP LLC with any cash needed by NMP LLC that is not available from the cash pool to protect the public health and safety. This agreement will remain in place as long as NMP LLC is a subsidiary of CEG, and will be replaced after the Spin-off with a substantially identical agreement with New Controlled, once NMP LLC becomes a subsidiary of spun-off New Controlled. A form Inter-Company Credit Agreement between CEG and NMP LLC is enclosed as Exhibit 11A. (It is requested that Exhibit 11A be withheld from public disclosure pursuant to 10 CFR § 9.17(a)(4) and the policy reflected in 10 CFR § 2.790, since it contains confidential commercial or financial information, as described in the 10 CFR § 2.790 Affidavit of Robert E. Denton ("2.790 Affidavit") included as Exhibit 16. A redacted version of the form of Inter-Company Credit Agreement, suitable for public disclosure, is provided in Exhibit 11.)

These arrangements provide further assurance that NMP LLC will have sufficient funds available to meet its operating and maintenance expenses during a simultaneous six-