

May 6, 2003

Mr. Michael P. Gallagher
Director, Licensing & Regulatory Affairs
Exelon Corporation
200 Exelon Way
Kennett Square, PA 19348

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE, PEACH BOTTOM ATOMIC POWER STATION (PBAPS),
UNIT NOS. 2 AND 3

Dear Mr. Gallagher:

By your letter dated January 14, 2003, and affidavit dated January 14, 2003, executed by Ronald J. DeGregorio, you submitted Attachment 1P proprietary addendum on behalf of Exelon Generation Company, LLC [EGC], which is used to demonstrate financial qualifications to support its application for license renewal for PBAPS, Units 2 and 3, and requested that it be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations*, 10 CFR Section 2.790(a)(4) and 10 CFR 9.17(a)(4). A nonproprietary version has been placed in the Nuclear Regulatory Commission's (NRC's) public document room and was added to the Agencywide Documents Access and Management Systems Publically Available Records System (ADAMS PARS) Library.

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

- 1) This information is and has been held in confidence by EGC.
- 2) This information is of a type that is held in confidence by EGC, and there is a rational basis for doing so because it is sensitive financial information concerning EGC's projected and operating revenues and 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 EGC by disclosing EGC's internal financial projections.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains sensitive financial information and should be withheld from public disclosure.

M. Gallagher

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Therefore, the version of the submitted information 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 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 301-415-1146.

Sincerely,

/RA/

Raj K. Anand, Project Manager
License Renewal Section
License Renewal and Environmental Impact
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket Nos.: 50-277 and 50-278

cc: See next page

M. Gallagher

-2-

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Raj K. Anand, Project Manager
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License Renewal and Environmental Impact
Division of Regulatory Improvement Programs
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