

December 15, 2003

Mr. David A. Christian
Sr. Vice President and Chief Nuclear Officer
Dominion Nuclear Connecticut, Inc.
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,
MILLSTONE POWER STATION, UNIT NOS. 1, 2, AND 3 (TAC NOS. MC0999,
MC1000, AND MC1001)

Dear Mr. Christian:

By Dominion Nuclear Connecticut, Inc. (DNC) letter (B19012) dated November 7, 2003, and DNC affidavit, executed by Eugene S. Grecheck, dated November 7, 2003 (Attachment 2 to letter B19012), DNC requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790:

DNC 5 Year Financial Projection (Enclosure 1 to Letter B19012)

A nonproprietary copy of this document (Enclosure 2 to letter B19012), has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

- (1) This information is being held in confidence by DNC.
- (2) This information is of a type that is held in confidence by DNC, and there is a rational basis for doing so because the information contains sensitive commercial information concerning DNC's financial information and capacity factor.
- (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 DNC by disclosing confidential DNC internal financial information to other parties whose commercial interests may be adverse to those of DNC. Furthermore, DNC has expended significant resources in the development of the information. Therefore, the use of this confidential information

by competitors would permit them to use the information developed by DNC without the expenditure of similar resources, thus giving them a competitive advantage.

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 proprietary commercial information and should be withheld from public disclosure. 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 301-415-1420.

Sincerely,

/RA/

Richard B. Ennis, Senior Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-245, 50-336, and
50-423

cc: See next page

D. Christian

- 2 -

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Millstone Power Station, Unit Nos. 1, 2, and 3

cc:

Lillian M. Cuoco, Esquire
Senior Counsel
Dominion Resources Services, Inc.
Rope Ferry Road
Waterford, CT 06385

Edward L. Wilds, Jr., Ph.D.
Director, Division of Radiation
Department of Environmental
Protection
79 Elm Street
Hartford, CT 06106-5127

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

First Selectmen
Town of Waterford
15 Rope Ferry Road
Waterford, CT 06385

Mr. W. R. Matthews
Senior Vice President - Nuclear Operations
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Charles Brinkman, Director
Washington Operations Nuclear Services
Westinghouse Electric Company
12300 Twinbrook Pkwy, Suite 330
Rockville, MD 20852

Senior Resident Inspector
Millstone Power Station
c/o U.S. Nuclear Regulatory Commission
P. O. Box 513
Niantic, CT 06357

Mr. P. J. Parulis
Manager - Nuclear Oversight
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. John Markowicz
Co-Chair
Nuclear Energy Advisory Council
9 Susan Terrace
Waterford, CT 06385

Ms. Nancy Burton
147 Cross Highway
Redding Ridge, CT 00870

Mr. G. D. Hicks
Director - Nuclear Station Safety and
Licensing
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. Evan W. Woollacott
Co-Chair
Nuclear Energy Advisory Council
128 Terry's Plain Road
Simsbury, CT 06070

Mr. William D. Meinert
Nuclear Engineer
Massachusetts Municipal Wholesale
Electric Company
P.O. Box 426
Ludlow, MA 01056

Mr. David W. Dodson
Licensing Supervisor
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Millstone Power Station, Unit Nos. 1, 2, and 3

cc:

Mr. S. E. Scace
Assistant to the Site Vice President
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. M. J. Wilson
Manager - Nuclear Training
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. A. J. Jordan, Jr.
Director - Nuclear Engineering
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. S. P. Sarver
Director - Nuclear Station Operations and
Maintenance
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. J. Alan Price
Site Vice President
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. Chris L. Funderburk
Director, Nuclear Licensing and
Operations Support
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

Mr. Allan Johanson, Assistant Director
Office of Policy and Management
Policy Development & Planning Division
450 Capitol Avenue - MS# 52ERN
P.O. Box 341441
Hartford, CT 06134-1441

Attorney Nicholas J. Scobbo, Jr.
Ferriter, Scobbo, Caruso, Rodophele, PC
75 State Street, 7th Floor
Boston, MA 02108-1807

Ernest C. Hadley, Esquire
1040 B Main Street
P.O. Box 549
West Wareham, MA 02576

Citizens Regulatory Commission
ATTN: Ms. Susan Perry Luxton
180 Great Neck Road
Waterford, CT 06385

Deborah Katz, President
Citizens Awareness Network
P.O. Box 83
Shelburne Falls, MA 03170

Mr. John Buckingham
Department of Public Utility Control
Electric Unit
10 Liberty Square
New Britain, CT 06051