

June 6, 2006

Mr. John M. Heffley  
Chief Nuclear Officer  
Constellation Generation Group  
1997 Annapolis Exchange Parkway  
Suite 310  
Annapolis, MD 21401

SUBJECT: CONSTELLATION GENERATION GROUP, LLC, REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR R.E. GINNA NUCLEAR POWER PLANT, CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2, NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2, AND CALVERT CLIFFS INDEPENDENT SPENT FUEL STORAGE INSTALLATION (TAC NOS. MC9620, MC9621, MC9622, MC9623 AND MC9624)

Dear Mr. Heffley:

By letter dated January 23, 2006, as supplemented on April 25, 2006, Constellation Generation Group, LLC (CGG), on behalf of R.E. Ginna Nuclear Power Plant, LLC, Calvert Cliffs Nuclear Power Plant, Inc., and Nine Mile Point Nuclear Station, LLC, filed an application for the R.E. Ginna Nuclear Power Plant, Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Nine Mile Point Nuclear Station, Unit Nos. 1 and 2, and Calvert Cliffs Independent Spent Fuel Storage Installation. The application, pursuant to Sections 50.80 and 72.50 of Title 10 of the *Code of Federal Regulations*, sought approval of the proposed indirect transfer of the licenses to the extent effected by the proposed merger of Constellation Energy Group, Inc., and FPL Group, Inc. In the January 23 and April 25, 2006, letters, you submitted affidavits dated January 23 and April 25, 2006, executed by you, that requested that the information contained in the following document be withheld from public disclosure pursuant to Section 2.390 of 10 CFR Part 2:

1. Attachment 3A, "Balance Sheets and Projected Income Statements of Licensees (Proprietary Version)," to the January 23, 2006, letter.
2. Attachment 1A, "Amended Projected Income Statements and Cash Flows for R.E. Ginna: No Assumed Uprate," to the April 25, 2006, letter.

Nonproprietary copies of these documents have 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:

- ii. This information is of a type that is customarily held in confidence by the CGG Companies, and there is a rational basis for doing so because the

information contains sensitive financial information concerning projected revenues and operating expenses of the CGG Companies.

- v. Public disclosure of this information would create substantial harm to the competitive position of the CGG Companies by disclosing their internal financial projections.

We have reviewed your application and the supporting material in accordance with the requirements of 10 CFR 2.390 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 versions of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(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 301-415-1457.

Sincerely,

*/RA/*

Patrick D. Milano, Senior Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-244, 50-317, 50-318,  
50-220, 50-410, and 72-8

cc: See next page

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ACCESSION NO: ML061520144

OFFICE	LPLI-1/PM	LPLI-1/LA	SPFB/BC	LPLI-1/BC
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DATE	06/01/06	06/01/06	06/06/06	06/06/06

OFFICIAL RECORD COPY

DATE: June 6, 2006

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Constellation Energy Generation Group

Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2  
R.E. Ginna Nuclear Power Plant  
Nine Mile Point Nuclear Station, Unit Nos. 1 and 2

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