

August 22, 2008

Mr. Charles G. Pardee
Chief Nuclear Officer
and Senior Vice President
Exelon Generation Company, LLC
Chief Nuclear Officer
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: EXELON GENERATION COMPANY, LLC, AND AMERGEN ENERGY COMPANY, LLC - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR CLINTON POWER STATION, UNIT NO. 1, OYSTER CREEK NUCLEAR GENERATING STATION, AND THREE MILE ISLAND NUCLEAR STATION, UNIT 1 (TAC NOS. MD9012, MD9013, AND MD9014)

Dear Mr. Pardee:

By letter dated June 20, 2008, Exelon Generation Corporation, LLC and AmerGen Energy Company, LLC (together, Applicants), submitted an affidavit dated June 19, 2008, executed by Carol R. Peterson, you 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), Part 2, Section 2.390:

“Application for Approval of License Transfer,” Attachment 5A (dated June 20, 2008)

A nonproprietary copy of this document 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:

- i. This information is and has been held in confidence by Applicants.
- ii. This information is of a type that is customarily held in confidence by Applicants and there is a rational basis for doing so because the information contains sensitive financial information concerning projected revenues and operating expenses of Applicants.
- iii. This information is being transmitted to the NRC voluntarily and in confidence.
- iv. This information is not available in public sources and could not be gathered readily from other publicly available information.
- v. Public disclosure of this information would create substantial harm to the competitive position of Applicants by disclosing its internal financial projections.

We have reviewed your application and the 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 version 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 301-415-1055.

Sincerely,

/RA/

Christopher Gratton, Senior Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-461, 50-219, and 50-289

cc: See next page

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Sincerely,

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Christopher Gratton, Senior Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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Oyster Creek Nuclear Power Station

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