

October 27, 2008

Mr. Louis S. Larragoite
Manager – Nuclear Safety and Security
Calvert Cliffs Nuclear Power Plant
1650 Calvert Cliffs Parkway
Lusby, MD 20657-4702

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION RE: INCREASED OWNERSHIP OF CONSTELLATION ENERGY GROUP, INC. BY ÉLECTRICITÉ DE FRANCE – CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2, R.E. GINNA NUCLEAR POWER PLANT, AND NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2 (TAC NOS. MD9634 – MD9638)

Dear Mr. Larragoite:

This is in regard to the letter dated September 8, 2008, from Mr. Michael J. Wallace, Vice Chairman of Constellation Energy Group, Inc. (Constellation) to Mr. R. William Borchardt, the Executive Director for Operations at the Nuclear Regulatory Commission (NRC). The letter described an increase in ownership of Constellation's outstanding common stock by Électricité de France (EDF), a foreign-controlled entity, from 4.97 percent to 9.5 percent.

Constellation is the parent company of Calvert Cliffs Nuclear Power Plant, Inc., R.E. Ginna Nuclear Power Plant, LLC, and Nine Mile Point Nuclear Station, LLC, the licensees for the Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, the R.E. Ginna Nuclear Power Plant, and the Nine Mile Point Nuclear Station, Unit Nos. 1 and 2, respectively. Under Sections 103 and 104 of the Atomic Energy Act of 1954, as amended (Act), and the NRC's regulation at Title 10 of the *Code of Federal Regulations* (10 CFR) 50.38, the NRC may not issue a license under those sections of the Act to a corporation or other entity if the NRC knows or has reason to believe that such entity is owned, controlled, or dominated by a foreign interest. The acquisition of additional shares of Constellation by EDF raises a question as to whether the facilities listed above, as indirect wholly-owned subsidiaries of Constellation, are owned, controlled, or dominated by a foreign interest in violation of the Act and the NRC's regulation.

In light of the above, please provide the following:

- (1) A copy of the Schedule 13D filed by EDF with the Securities and Exchange Commission disclosing EDF's increased investment in Constellation.
- (2) A copy of the investor agreement dated July 20, 2007, between EDF and Constellation.
- (3) A statement as to whether there are any known written or unwritten agreements or understandings between EDF and any other shareholder of Constellation regarding acquiring or maintaining control of Constellation, whether by voting shares or soliciting proxies, or otherwise. If such a written agreement or understanding exists, please submit a copy. If an unwritten agreement or understanding exists, please provide details.

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- (4) A statement as to whether EDF plans to acquire additional shares of Constellation, directly or indirectly, and whether EDF plans to or has acquired control of Constellation, whether or not by acting in concert with any other person or entity. Please provide details regarding any such plans or acquisition.

Based upon discussions with your staff, we understand that you expect to respond to this request for additional information within 60 days of receipt of this letter.

Sincerely,

/RA/

Mark G. Kowal, Chief
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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

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