

10 CFR 140.21

**Confidential Financial Information  
Submitted Under 10 CFR 2.390**

RA-08-107 (OC)  
5928-08-20230 (TMI)  
RS-08-151 (Clinton)

November 13, 2008

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Clinton Power Station  
Facility Operating License No. NPF-62  
NRC Docket No. 50-461

Oyster Creek Nuclear Generating Station  
Facility Operating License No. DPR-16  
NRC Docket No. 50-219

Three Mile Island, Unit 1  
Facility Operating License No. DPR-50  
NRC Docket No. 50-289

Subject: 2008 Annual Report - Guarantees of Payment of Deferred Premiums

Pursuant to 10 CFR 140.21<sup>1</sup>, "Licensee guarantees of payment of deferred premiums," AmerGen Energy Company, LLC, is providing evidence that we maintain a guarantee of payment of deferred premiums in the amount of \$17.5 million for each of our three reactors. This information is required to be submitted annually on the anniversary date on which the indemnity agreement is effective for each of our reactors. Since the indemnity agreement effective dates vary for each of our reactors, we submit information for all of our reactors by November 16 of each year to demonstrate our compliance with 10 CFR 140.21.

<sup>1</sup> As amended, effective October 29, 2008. See 73 Fed. Reg. 56451 (September 29, 2008).

1001  
1004  
NRB

The AmerGen Energy Company, LLC, projected internal cash flow is contained in Attachment 1. The average quarterly cash flow projection could be drawn on to raise the \$52.5 million needed to provide for our payment of retrospective premiums.

2008 Annual Report - Guarantees of

Payment of Deferred Premiums

November xx, 2008

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Attachment 1 contains information confidential to AmerGen Energy Company, LLC. AmerGen Energy Company, LLC requests that the contents of Attachment 1 be withheld from public disclosure in accordance with 10 CFR 2.390(a)(4). An affidavit supporting the 2.390(a)(4) request is contained in Attachment 2. A non-confidential version of the projected internal cash flow is contained in Attachment 3.

If you have any questions about this letter, please contact T. Loomis at (610)765-5510.

Respectfully,



Charles S. Walls

Assistant Treasurer

AmerGen Energy Company, LLC

Attachments:

- 1 – Confidential Financial Information – Projected Internal Cash Flow
- 2 – Affidavit
- 3 – Non-Confidential Financial Information – Projected Internal Cash Flow

cc: Regional Administrator- NRC Region I  
Regional Administrator - NRC Region III  
NRC Senior Resident Inspector- Clinton Power Station  
NRC Senior Resident Inspector - Oyster Creek Nuclear Generating Station  
NRC Senior Resident Inspector - Three Mile Island, Unit 1  
File No. 99012 (TMI-1)

**ATTACHMENT 2**

**AmerGen Energy Company, LLC**

**2008 Annual Report - Guarantees of Payment of Deferred Premiums**

**AFFIDAVIT**

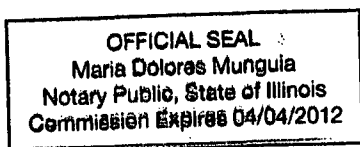
STATE OF TEXAS  
COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_  
do hereby certify that the foregoing is a true and correct copy of the  
2008 Annual Report - Guarantees of Payment of Deferred Premiums  
of AmerGen Energy Company, LLC.

ATTACHMENT 2

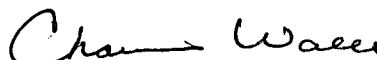
AFFIDAVIT

I, Charles S. Walls, Assistant Treasurer of AmerGen Energy Company, LLC (AmerGen), do hereby affirm and state:

1. I am an officer of AmerGen authorized to execute this affidavit on its behalf. I am further authorized to review information submitted to the Nuclear Regulatory Commission (NRC) and apply for the withholding of information from disclosure.
2. AmerGen is providing information pursuant to 10 CFR 140.21(e), which constitutes proprietary financial information that should be held in confidence by the NRC pursuant to the policy reflected in 10 CFR 2.390(a)(4), because:
  - i. This information (2008 Internal Cash Flow) is and has been held in confidence by AmerGen.
  - ii. This information is of a type that is held in confidence by AmerGen, and there is rational basis for doing so because the information contains sensitive financial information concerning AmerGen's projected revenues, and operating expenses.
  - iii. This information is being transmitted to the NRC 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 AmerGen by disclosing AmerGen's internal financial projections to other parties whose commercial interests may be adverse to those of AmerGen.
3. Accordingly, AmerGen requests that the designated documents be withheld from public disclosure pursuant to the policy reflected in 10 CFR 2.390(a)(4).

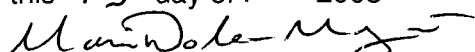


AmerGen Energy Company, LLC



Charles S. Walls  
Assistant Treasurer

Subscribed and sworn before me,  
A Notary Public in and for the  
State of Illinois  
this 13 day of Nov 2008



**ATTACHMENT 3**

**AmerGen Energy Company, LLC**

**2008 Annual Report - Guarantees of Payment of Deferred Premiums**

**Non-Confidential Financial Information**

**Projected Internal Cash Flow**

ATTACHMENT 1  
AmerGen Energy Company, LLC  
2008 Internal Cash Flow Projection  
(Dollars in Thousands)

2008  
Projected  
UNAUDITED

Net Income (Loss) After Taxes  
Less Dividends Paid

Earnings (Loss)

Adjustments

Depreciation, Amortization and Accretion  
Deferred Income Taxes  
Net Unrealized Losses on Nuclear Decommissioning  
Trust Funds  
Other Non-cash Operating Activity

Adjustments

Internal Cash Flow

Average Quarterly Cash Flow

Percentage Ownership

Clinton Power Station	100%
Oyster Creek Nuclear Generating Station	100%
Three Mile Island, Unit 1	100%

Maximum Total Contingent Liability

**\$52.5M**

Certification

AmerGen Energy Company, LLC has sufficient cash flow to ensure that its obligations to pay deferred premiums under 10 CFR Part 140 will be met.

Certified By: \_\_\_\_\_



Charles S. Walls  
Assistant Treasurer  
AmerGen Energy Company, LLC