

Henry B. Barron
President, CEO & Chief Nuclear Officer

Constellation Energy Nuclear Group
100 Constellation Way
Suite 1800P
Baltimore, MD 21202



December 1, 2008

U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

ATTENTION: Document Control Desk

SUBJECT: R. E. Ginna Nuclear Power Plant
Docket Nos. 50-244

Application for Approval of 10 CFR 50.80 and 10 CFR 72.50 Indirect Transfers
of Control of Licenses, Supplemental Information

REFERENCE: (a) Letter from H. B. Barron (CENG) to Document Control Desk (NRC),
dated October 3, 2008, Application for Approval of 10 CFR 50.80 and
10 CFR 72.50 Indirect Transfers of Control of Licenses

This letter provides supplemental information for proprietary Attachment (3A) to Reference (a). This supplement does not alter the information provided in Reference (a).

This letter includes a proprietary addendum, labeled Attachment (2), which contains confidential commercial and financial information. Attachment (1) is a non-proprietary summary. We request that Attachment (2) be withheld from public disclosure pursuant to 10 CFR 9.17(a)(4) and the policy reflected in 10 CFR 2.390, as described in the Affidavit of Henry B. Barron, which is provided in Attachment (3).

This letter contains no regulatory commitments.

A001
NER

Document Control Desk
December 1, 2008
Page 3

cc: **With Attachments**
D. V. Pickett, NRC
R. V. Guzman, NRC

Without Attachments 2 and 3
S. J. Collins, NRC
Resident Inspector, NRC (Ginna)
J. P. Spath, NYSERDA
P. Eddy, NYSOPS

ATTACHMENT (1)

**R.E. GINNA NUCLEAR POWER PLANT SUPPLEMENTAL
INFORMATION -- NON-PROPRIETARY**

**R.E. Ginna Nuclear Power Plant, LLC.
December 1, 2008**

ATTACHMENT (1)
R.E. GINNA NUCLEAR POWER PLANT SUPPLEMENTAL INFORMATION --
NON-PROPRIETARY

Submitted income statements for R.E. Ginna Nuclear Power Plant (Ginna) show variations in income after tax for 2011, 2012 and 2013. While good practice dictates that we show the income as presented, there are several factors that provide a high degree of confidence that Ginna will remain in good financial health, while maintaining timely and sufficient access to working capital, to support both planned and unplanned needs:

1. Ginna is on an 18-month refueling cycle, which means every third year it does not have an outage. Thus, the two outage years are different from the non-outage year. In this case, the outage years are 2011 and 2012 and the non-outage year is 2013.
2. The Ginna operating expenses include allocated corporate overhead charges, which are expenses incurred at the corporate level that do not directly relate to operations at Ginna.
3. While projected operating cash flow for Ginna is positive in all years, the Constellation Energy Nuclear Group (CENG) companies (including Ginna) participate in a cash pool that the parent company, Constellation Energy Group, Inc., operates for the benefit of all its subsidiaries. The cash pool is intended to provide Ginna (and the other CENG companies) with the cash necessary to meet its day-to-day cash needs, including its obligations to protect public health and safety. Further, if the cash pool at any time cannot meet those needs, the CENG companies, including Ginna, maintain Inter-Company Credit Agreements with Constellation Energy Group, Inc. in accordance with prior NRC Orders approving license transfers. The amounts of funding available from the cash pool and the Inter-Company Credit Agreement for Ginna are sufficient to compensate for variations in income substantially greater than are anticipated.
4. During the period covered in the projected income statements, Ginna receives revenues from electric sales under a power purchase agreement with an external party. This agreement will expire in 2014.

ATTACHMENT (3)

10 CFR 2.390 AFFIDAVIT OF HENRY B. BARRON

**R.E. Ginna Nuclear Power Plant, LLC.
December 1, 2008**

ATTACHMENT (2)

10 CFR 2.390 AFFIDAVIT OF HENRY B. BARRON

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
Constellation Energy Nuclear Group, LLC, et al.)

AFFIDAVIT

I, Henry B. Barron of Constellation Energy Nuclear Group, LLC, for R. E. Ginna Nuclear Power Plant, LLC, do hereby affirm and state:

1. I am authorized to execute this affidavit on behalf of R. E. Ginna Nuclear Power Plant, LLC.
2. R. E. Ginna Nuclear Power Plant, LLC is providing information in support of the Constellation Energy Nuclear Group, LLC Application for Order Approving Indirect Transfers of Control of Licenses. The document being provided in Attachment (2) contains proprietary financial information and financial projections related to the ownership and operation of R. E. Ginna Nuclear Power Plant, LLC. This document constitutes proprietary commercial and financial information that should be held in confidence by the NRC pursuant to the policy reflected in 10 CFR §§ 2.390(a)(4) and 9.17(a)(4), because:
 - i. This information is and has been held in confidence by R. E. Ginna Nuclear Power Plant, LLC.
 - ii. This information is of a type that is customarily held in confidence by R. E. Ginna Nuclear Power Plant, LLC and there is a rational basis for doing so because the information contains sensitive financial information concerning projected revenues and operating expenses of R. E. Ginna Nuclear Power Plant, LLC.
 - 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 R. E. Ginna Nuclear Power Plant, LLC by disclosing its internal financial projections.
3. Accordingly, R. E. Ginna Nuclear Power Plant, LLC requests that the designated documents be withheld from public disclosure pursuant to the policy reflected in 10 CFR §§ 2.390(a)(4) and 9.17(a)(4).

Henry B. Barron
Henry B. Barron

Subscribed and sworn before me, a Notary Public, in and for the State of Maryland and City of Baltimore, this 15th day of December, 2008.

WITNESS my hand and Notarial Seal:

Joy W. Bowen
Notary Public

My Commission Expires:

June 27, 2011
Date

