December 03, 2009

Mr. Rocco Sgarro
PPL Bell Bend, LLC
38 Bomboy Lane, Suite 2
Berwick PA 18603

SUBJECT: BELL BEND - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR RESPONSE TO REQUESTS FOR ADDITIONAL INFORMATION NO 21 REGARDING EXCLUSION AREA AUTHORITY AND CONTROL

Dear Mr. Sgarro:

By letter dated August 10, 2009, and associated affidavit executed by Terry L. Harpster on August 10, 2009, you submitted a proprietary document entitled, "Response to Requests for Additional Information RAI Set 21," (Agencywide Documents Access and Management System (ADAMS) Accession No. ML092240581). You requested that this document be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (Title 10 CFR), Part 2, Section 2.390. A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC) Public Document Room and added to the Public Electronic Reading Room (ADAMS Accession No. ML092370270).

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

(1) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.

(2) The information is vital to a competitive advantage held by Pennsylvania Power and Light (PPL) Bell Bend, LLC, would be helpful to competitors to PPL Bell Bend, LLC, and would likely cause substantial harm to the competitive Position of PPL Bell Bend, LLC.

(3) The information sought to be withheld is owned by PPL Bell Bend, LLC, its affiliates or third parties to whom Bell Bend has an obligation to maintain its confidentiality.

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 301-415-0737.

Sincerely,

/RA/

Michael A. Canova, Project Manager
EPR Projects Branch,
Division of New Reactor Licensing
Office of New Reactors

Docket 52-039

cc: COL – Bell Bend Mailing List

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/RA/

Michael A. Canova, Project Manager
EPR Projects Branch,
Division of New Reactor Licensing
Office of New Reactors

Docket 52-039

cc: COL – Bell Bend Mailing List

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ADAMS Accession Number: ML093080064 NRO-002

OFFICE	DNRL/NARP	DNRL/NARP:LA	DNRL/NARP:PM
NAME	MGuardiola	JMcLellan	MCanova
DATE	11/05/09	12/02/09	12/03/09

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COL - Bell Bend Mailing List (Revised 10/01/2009)

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