

UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 22, 2010

John F. McCann, Vice President – Nuclear Safety Emergency Planning and Licensing Entergy Nuclear Operations, Inc. 440 Hamilton Ave. White Plains, NY 10601

SUBJECT:

ENTERGY NUCLEAR OPERATIONS, INC. - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR EXTENSION OF ORDERS APPROVING INDIRECT TRANSFER OF CONTROL OF LICENSES (TAC NOS. ME2515 THROUGH ME2522)

Dear Mr. McCann:

By letter and affidavit dated November 3, 2009, 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:

Enclosure 3: Revised Financial Projections (Proprietary Version)

The information was contained in the application by Entergy Nuclear Operations, Inc. (ENO), "Request for Further Extension of Orders Approving Transfer of Control of Licenses and for Review of Trust Agreement Amendments," to the Nuclear Regulatory Commission (NRC) dated November 3, 2009. A nonproprietary copy of this enclosure has been placed in the 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:

- a. This information is of a type that is customarily held in confidence by ENO and there is a rational basis for doing so because the information contains sensitive financial information concerning projected revenues and operating expenses of ENO.
- b. Public disclosure of this information would create substantial harm to the competitive position of ENO 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 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 301-415-1364.

Sincerely,

Douglas V. Pickett, Senior Project Manager

Plant Licensing Branch I-1

Doyla V Sichet

Division of Operating Reactor Licensing Office of Nuclear Reactor Regulation

Docket Nos. 50-293

50-003, 50-247, 50-286, 72-51

50-333, 72-12

50-271, 72-59

50-255, 72-7

50-155, 72-43

cc: See next page

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cc: Big Rock Point ISFSI

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Docket Nos. 50-155, 72-43

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/RA/

Douglas V. Pickett, Senior Project Manager Plant Licensing Branch I-1 Division of Operating Reactor Licensing Office of Nuclear Reactor Regulation

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Enclosure: As stated

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