



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

February 16, 2010

Mr. Timothy J. O'Connor  
Site Vice President  
Monticello Nuclear Generating Plant  
Nuclear Management Company, LLC  
2807 West County Road 75  
Monticello, MN 55362-9637

SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT – DETERMINATION THAT  
SUBMITTED INFORMATION IS PROPRIETARY AND WILL BE WITHHELD  
FROM PUBLIC DISCLOSURE (TAC NO. ME3145)

Dear Mr. O'Connor:

By letter dated January 21, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML100280565), Xcel Energy submitted an application for amendment to use the Maximum Extended Load Line Limit Analysis Plus methodology. The application included an affidavit executed by Mr. Edward D. Schrull of GE-Hitachi Nuclear Energy Americas LLC (GEH), on December 16, 2009, requesting that the Attachment 3, topical report NEDC-33435P, "Safety Analysis Report for Monticello Maximum Extended Load Line Limit Analysis Plus," Revision 1, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

The affidavit stated that Attachment 3 should be considered exempt from mandatory public disclosure because it contains:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over other companies;
- b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;

We have reviewed GEH's affidavit in accordance with the requirements of 10 CFR 2.390, and on the basis of its statements, we have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, Attachment 3, which is 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.

We have released to the public the non-proprietary version of Attachment 3, identified as Attachment 5 (ADAMS Accession No. ML100280557).

T. J. O'Connor

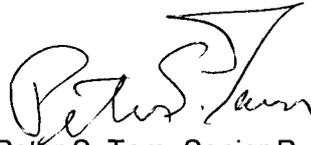
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Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, 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 301-415-1451.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter S. Tam". The signature is stylized with a large, sweeping initial "P" and "T".

Peter S. Tam, Senior Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-263

cc: See next page

Monticello Nuclear Generating Plant

cc: Mr. Edward D. Schrull  
Vice President, Regulatory Affairs  
Services Licensing  
GE-Hitachi Nuclear Energy Americas LLC  
3901 Castle Hayne Road  
Wilmington, NC 28401

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T. J. O'Connor

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**/RA/**

Peter S. Tam, Senior Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-263

cc: See next page

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