

October 3, 2011

Mr. Wayne Norton, Chief Executive Officer
and President of Yankee Atomic
and Connecticut Yankee
Chief Nuclear Officer of Maine Yankee
49 Yankee Road
Rowe, MA 01367

SUBJECT: REQUEST FOR EXEMPTION FROM 10 CFR 50.38 FOR MAINE YANKEE ATOMIC POWER COMPANY, CONNECTICUT YANKEE ATOMIC POWER COMPANY, AND YANKEE ATOMIC ELECTRIC COMPANY – ACCEPTED FOR REVIEW (TAC NOS. L24538, L24565, AND L24566); RELATIONSHIP OF EXEMPTION REQUEST TO INDIRECT LICENSE TRANSFER AND STATUS OF REVIEW (TAC NOS. L24496, L24497, AND L24498)

Dear Mr. Norton:

By letter dated May 16, 2011 (Agencywide Documents Access and Management System Accession No. ML11139A088), as supplemented August 16, 2011 (ML11235A723), you submitted a request for exemption from 10 CFR 50.38 for the Maine Yankee Atomic Power Company, Connecticut Yankee Atomic Power Company, and the Yankee Atomic Electric Company (together referred to as the “Yankee Companies”). U.S. Nuclear Regulatory Commission (NRC) staff performed an acceptance review of your request to determine if it contains sufficient information to allow the staff to complete the detailed review.

This letter acknowledges acceptance of your request. The request appears to contain the information needed for our review. We have established a schedule for issuance of a request for additional information, if needed, in December 2011. We have not yet developed a schedule for completing the review, as this exemption request may involve policy issues that would need to be resolved before a decision can be made on the exemption request.

Note that the foreign ownership, control, or domination (FOCD) requirements in 10 CFR 50.38 continue to apply to the Yankee Companies, unless an exemption is granted. Also, note that submission of a negation action plan for the Yankee Companies, which negates any FOCD of the Yankee Companies, or to take action to remove the FOCD, was requested in our April 20, 2011, letter (ML111101402). This option remains available to you, in lieu of your request for exemption from the requirements of 10 CFR 50.38.

We consider your August 16, 2011, letter to be applicable to both the exemption request and the request for NRC consent to the indirect license transfer, related to the pending Northeast Utilities and NSTAR merger, that you submitted on December 6, 2010 (ML103490133). The information in your August 16, 2011, letter was responsive to our questions on FOCD, and based on the information submitted to date, we now plan to review the exemption request separate from the review of the indirect license transfer request. We plan to complete our review of the indirect license transfer request by the end of November 2011.

If you have any questions regarding this matter, please contact me at (301) 492-3571.

Sincerely,

/RA/

Kristina L. Banovac, Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 50-309, 50-213, 50-029
72-30, 72-39, 72-31

TAC Nos.: L24538, L24565, L24566
L24496, L24497, L24498

cc: Maine Yankee Atomic Power Station
Service List
Haddam Neck Plant Service List
Yankee (Rowe) Nuclear Power Station
Service List
Northeast Utilities Service List

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NAME	KBanovac	WWheatley	JGoshen	CRegan	BMizuno	MWaters
DATE	9/ 22 /11	9/ 23 /11	9/ 23 /11	9/ 26 /11	9/ 28 /11	10/ 3 /11

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Maine Yankee Atomic Power Station Service List

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