



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

December 28, 2011

Mr. Bruce S. Montgomery, Manager – Nuclear Safety and Security
Constellation Energy Nuclear Group, LLC
100 Constellation Way, Suite 200C
Baltimore, MD 21202

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2, CALVERT CLIFFS INDEPENDENT SPENT FUEL STORAGE INSTALLATION (ISFSI), NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2, R.E. GINNA NUCLEAR POWER PLANT, AND R.E. GINNA ISFSI (TAC NOS. ME7608, ME7609, ME7610, ME7611, AND ME7612)

Dear Mr. Montgomery:

By letter dated October 5, 2011, you submitted an affidavit dated September 28, 2011, executed and signed by Mr. Patrick Blandin, Executive Vice-President, Finance, and Treasurer, EDF, Inc., requesting that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Attachment 1, Discussion of the Restructuring, and

Attachment 2, Pre- and Post-Restructuring Simplified Organizational Charts

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

- (e)(i) The information for which protection from disclosure is sought has been held in confidence by EDF Inc. This information is commercially sensitive to EDF Inc., and EDF Inc. seeks to protect it as such. The information proprietary to EDF Inc. is found in the documents listed [...] above. EDF Inc. has provided the NRC with both a proprietary and a public version of the document.
- (e)(ii) The information sought to be withheld is of a type that would customarily be held in confidence by EDF Inc. before a transaction has reached financial close. The information consists of commercial and financial information that provides a competitive advantage to EDF Inc.
- (e)(iii) The information sought to be withheld is being provided to the NRC in confidence, and, under the provision of 10 CFR 2.390, it is to be received in confidence by the NRC.
- (e)(iv) The information sought to be withheld is not available in public sources, to the best of EDF Inc.'s knowledge and belief.

- (e)(v) Public disclosure of the proprietary information EDF Inc. seeks to protect is likely to cause substantial harm to EDF Inc.'s competitive position within the meaning of 10 CFR 2.390(b)(4)(v). The information, if used by a competitor, could reduce its expenditure of resources or improve its competitive position relative to EDF Inc. The proprietary information has substantial commercial value to EDF Inc.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

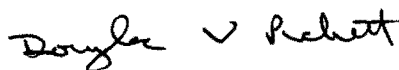
Therefore, the Attachments marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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 Nuclear Regulatory Commission (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
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-220, 50-244, 50-317, 50-318, 50-410, 72-8, and 72-67

cc: Mr. Patrick Blandin
Executive Vice-President, Finance, and Treasurer
EDF Inc.
5404 Wisconsin Avenue, Suite 400
Chevy Chase, MD 20815

Additional cc via Listserv

- (e)(v) Public disclosure of the proprietary information EDF Inc. seeks to protect is likely to cause substantial harm to EDF Inc.'s competitive position within the meaning of 10 CFR 2.390(b)(4)(v). The information, if used by a competitor, could reduce its expenditure of resources or improve its competitive position relative to EDF Inc. The proprietary information has substantial commercial value to EDF Inc.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

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Douglas V. Pickett, Senior Project Manager
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 Division of Operating Reactor Licensing
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