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10 CFR 50.4  
10 CFR 52.75

November 26, 2013

UN#13-145

ATTN: Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** UniStar Nuclear Energy, NRC Docket No. 52-038  
Nine Mile Point 3 Nuclear Power Plant,  
Withdrawal of Combined License Application

**References:** 1) UniStar Nuclear Energy Letter UN#08-041, from Greg Gibson to Document Control Desk, U.S. NRC, "UniStar Nuclear Energy, NRC Project 759, Submittal of a Combined License Application for the Nine Mile Point 3 Nuclear Power Plant; and Application for Withholding Documents," dated September 30, 2008

2) UniStar Nuclear Energy Letter UN#08-042, from Greg Gibson to Document Control Desk, U.S. NRC, "UniStar Nuclear Energy, NRC Project 759, Submittal of a Combined License Application for the Nine Mile Point 3 Nuclear Power Plant, Safeguards/Security Part," dated September 30, 2008

3) NRC Letter ML083300519, from Prosanta Chowdhury to Mr. Greg Gibson, "Combined License Application Acceptance Review for Nine Mile Point 3 Nuclear Power Plant," dated December 12, 2008.

4) UniStar Nuclear Energy Letter UN#09-491, from Greg Gibson to Document Control Desk, U.S. NRC, "UniStar Nuclear Energy, NRC Docket No. 52-038, Nine Mile Point 3 Nuclear Power Plant – COLA Review" dated December 1, 2009

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UniStar Nuclear Energy (UNE), acting on behalf of co-applicants Nine Mile Point 3 Nuclear Project, LLC, and UniStar Nuclear Operating Services, LLC, submitted an application for a combined license (COL) for the Nine Mile Point 3 Nuclear Power Plant (NMP3NPP) in References 1 and 2. The NRC accepted the NMP3NPP COL for docketing in Reference 3.

In Reference 4, UNE requested that the NRC temporarily suspend the NMP3NPP COLA review. By this letter, UNE hereby withdraws the COL application for NMP3NPP (Reference 1) including the Safeguards/Security Part (Reference 2).

This letter does not contain any sensitive or proprietary information.

If there are any questions regarding this transmittal, please contact me at (410) 369-1907, or Mr. Paul Infanger at (410) 369-1987.

*I declare under penalty of perjury that the foregoing is true and correct.*

Executed on November 26, 2013

A handwritten signature in black ink, appearing to read "Mark T. Finley", is written over a faint, illegible background.

Mark T. Finley

cc: Prosanta Chowdhury, NRC Project Manager, U.S. EPR Projects Branch  
Bruce Olson, NRC Environmental Project Manager, U.S. EPR COL Application  
John Segala, EPR Projects Branch Chief, Division of New Reactor Licensing  
Patricia Holahan, Acting Deputy Regional Administrator, NRC Region II  
Kenneth Kolaczyk, U. S. NRC Senior Resident Inspector, Region 1, NMPNS  
David Lew, Deputy Regional Administrator, NRC Region I