



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

January 19, 2016

Mr. Rafael Flores
Senior Vice President and
Chief Nuclear Officer
Attention: Regulatory Affairs
Luminant Generation Company LLC
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 1 AND 2 - REQUEST
FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(CAC NOS. MF7075 AND MF7076)

Dear Mr. Flores:

By letter dated December 9, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15345A048), Luminant Generation Company LLC (Luminant) submitted an affidavit executed by Mr. Thomas P. McCool, Vice President, Nuclear Engineering and Support, Luminant Generation Company LLC, dated December 9, 2015, requesting that 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:

Balance Sheets (Labelled as Enclosure 3 to TXX-15166 (Proprietary))

The information is included in Addendum Enclosure 3 of Luminant's letter dated December 9, 2015. A nonproprietary version of the document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to ADAMS in the NRC Library at Accession No. ML15345A048.

The information was previously submitted by letter dated November 12, 2015 (ADAMS Accession No. ML15320A093), but was not marked consistent with the requirements of 10 CFR 2.390. Hence, the portion of the information claimed as proprietary and the affidavit submitted by letter dated December 9, 2015, supersedes information submitted by letter dated November 12, 2015.

The affidavit stated that the information sought to be withheld is considered to be proprietary for the reasons below:

- a. This information is and has been held in confidence by Luminant and its affiliates;
- b. This information is of a type that is held in confidence by Luminant and its affiliates, and there is a rational basis for doing so because the information contains sensitive financial competitive information

concerning Luminant affiliates' anticipated revenues and operating expenses.

- c. This information is being transmitted to the NRC in confidence.
- d. This information is not available in public sources and could be gathered readily from other publically available information.
- e. Public disclosure of this information would create substantial harm to the competitive position of Luminant by disclosing its internal financial pro form[a] statements and the commercial terms of a unique transaction to other parties whose commercial interests may be adverse to those of Luminant.

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 affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the versions 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, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

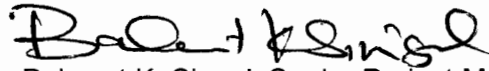
If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the 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.

R. Flores

- 3 -

If you have any questions regarding this matter, I may be reached at (301) 415-3016 or via e-mail at balwant.singal@nrc.gov.

Sincerely,



Balwant K. Singal, Senior Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

cc: Distribution via Listserv

R. Flores

- 3 -

If you have any questions regarding this matter, I may be reached at (301) 415-3016 or via e-mail at balwant.singal@nrc.gov.

Sincerely,

/RA/

Balwant K. Singal, Senior Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

cc: Distribution via Listserv

DISTRIBUTION:

PUBLIC

LPL4-1 Reading

RidsAcrcAcnw_MailCTR Resource

RidsNrrDorlLpl4-1 Resource

RidsNrrPMComanchePeak Resource

RidsNrrLAJBurkhardt Resource

RidsRgn4MailCenter Resource

TKolb, NRR/DIRS/IFIB

ADAMS Accession No. ML15351A057

OFFICE	NRR/DORL/LPL4-1/PM	NRR/DORL/LPL4-1/LA	NRR/DIRS/IFIB/BC	NRR/DORL/LPL4-1/BC	NRR/DORL/LPL4-1/PM
NAME	BSingal	JBurkhardt	ABowers	RPascarelli	BSingal
DATE	12/18/15	12/17/15	1/14/16	1/19/16	1/19/16

OFFICIAL RECORD COPY