



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

September 9, 2016

Mr. Samuel L. Belcher
Senior Vice President and Chief Nuclear Officer
FirstEnergy Nuclear Operating Company
341 White Pine Drive
Akron, OH 44320

SUBJECT: FENOC - BEAVER VALLEY POWER STATION, UNIT NOS. 1 AND 2;
DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1; AND, PERRY
NUCLEAR POWER PLANT, UNIT NO. 1 – REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (CAC NOS. MF7701, MF7702,
MF7703, AND MF7704)

Dear Mr. Belcher:

By letter dated April 22, 2016 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML16132A391), FirstEnergy Nuclear Generation, LLC (FENOC, the licensee) submitted the information pertaining to Foreign Ownership, Control, or Influence (FOCI) as required for a FOCI redetermination.

The FENOC letter dated July 1, 2016 (ADAMS Package Accession No. ML16196A077) supplemented its April 22, 2016, letter. This supplemental submission provided: (1) Attachment 1 that replaces Attachment H of the April 22, 2016, letter (redacted version of the proprietary information in Attachment 1 is in Enclosures C and D of the April 22, 2016, letter), (2) A revised affidavit for withholding the proprietary information identified in Attachment 1 by single brackets [], and, (3) Attachment 3 which identifies the security-related and personal identity information-related information in Attachment 1 by single brackets [], correlated to the enclosures A through F of the April 22, 2016, letter.

The July 1, 2016, letter submitted an affidavit dated July 1, 2016, executed by Gregory H. Halnon, Vice President, Regulatory Affairs and Laboratory Services, FENOC, requesting that the information contained in the Attachment 1 of the letter (ADAMS Accession No. ML16196A069) be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390(a)(4) and 10 CFR 9.17(a)(4).

The following reasons were given in your affidavit for requesting our withholding of this information:

2. FENOC is providing information in support of its Foreign Ownership Control or Influence (FOCI) submittal. The information sought to be withheld is contained in Attachment 1 and is identified by being enclosed inside square brackets [].
3. This information constitutes proprietary financial information that should be held in confidence by the Nuclear Regulatory Commission (NRC) pursuant to the policy reflected in 10 CFR 2.390(a)(4) and 10 CFR 9.17(a)(4), because:
 - a. This information is and has been held in confidence by FENOC and its affiliates.
 - b. This information is of a type that is held in confidence by FENOC and its affiliates, and there is a rational basis for doing so because the information contains sensitive financial competitive information concerning FENOC and its affiliates' FirstEnergy Corp.'s anticipated income and operating expenses.
 - e. Public disclosure of this information would create substantial harm to the competitive position of FENOC and its affiliates by disclosing internal financial information to other parties whose commercial interests may be adverse to those of FENOC and its affiliates.

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 applicable portion of Enclosure C 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 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.

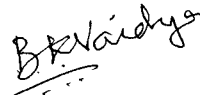
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The nonproprietary versions of the licensee submittal (Enclosures C and D of the licensee's submittal, dated April 22, 2016, part of ADAMS Accession No. ML16144A468) has been placed in the NRC's Public Document Room and added to the ADAMS Public Electronic Reading Room.

If you have any questions regarding this matter, I may be reached at 301-415-3308.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Vaidya", with a horizontal line underneath.

Bhalchandra Vaidya, Project Manager
Plant Licensing III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-334, 50-412, 50-346, 50-440

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/RA/

Bhalchandra Vaidya, Project Manager
Plant Licensing III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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