



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

August 29, 2019

Timothy P. Matthews, Esq.
Partner
Morgan, Lewis, & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

SUBJECT: MAINE YANKEE ATOMIC POWER COMPANY – THRESHOLD DETERMINATION
THAT U.S. NUCLEAR REGULATORY COMMISSION CONSENT IS NOT
REQUIRED IN CONNECTION WITH ACQUISITION OF EMERA MAINE BY
ENMAX CORPORATION

Dear Mr. Matthews:

I am writing regarding your letter dated April 23, 2019 (Agencywide Documents Access and Management System Accession No. ML19113A103), in which you requested the U.S. Nuclear Regulatory Commission (NRC) to issue a threshold determination that NRC consent is not required for a proposed transaction involving the pending acquisition of Emera Maine by a newly formed subsidiary of ENMAX Corporation (ENMAX). In your letter, you stated that ENMAX is a wholly owned corporate subsidiary of the City of Calgary, Alberta, Canada, and that Emera Maine is a 12 percent minority co-owner of Maine Yankee Atomic Power Company (Maine Yankee)¹. You stated that the proposed transaction will not affect operation and maintenance of the independent spent fuel storage installation and will not alter Emera Maine's financial obligations related to Maine Yankee.

The NRC has completed its review of the facts and information regarding the proposed transaction as set forth in the request. Based on the information provided in your letter of April 23, 2019, and the NRC staff's review, the NRC finds that no NRC consent is required for the proposed transaction.

¹ Maine Yankee was permanently shut down in 1997 and currently holds only an NRC possession-only license for an independent spent fuel storage installation.

T. Matthews

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If you have any questions, please contact Nishka Devaser, of my staff, at (301) 415-5196, or by email at Nishka.Devaser@nrc.gov.

Sincerely,

/RA/

John McKirgan, Chief
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 50-309 and 72-30

cc: Robert W. Warnament, Esq.
(Counsel to Emera Maine)
Joe Fay, Esq. (Counsel to
Maine Yankee)

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*** by email**

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