

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**BEFORE THE COMMISSION**

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In the Matter of:	)	Docket Nos.:
	)	
EXELON GENERATION COMPANY, LLC; EXELON CORPORATION; EXELON FITZPATRICK, LLC;	)	STN 50-456, STN 50-457,
NINE MILE POINT NUCLEAR STATION, LLC;	)	72-73, STN 50-454,
R. E. GINNA NUCLEAR POWER PLANT, LLC; and	)	STN 50-455, 72-68, 50-317,
CALVERT CLIFFS NUCLEAR POWER PLANT, LLC	)	50-318, 72-8, 50-461,
	)	72-1046, 50-10, 50-237,
(Braidwood Station, Units 1 and 2; Byron Station, Unit	)	50-249, 72-37, 50-333,
Nos. 1 and 2; Calvert Cliffs Nuclear Power Plant, Units 1	)	72-12, 50-373, 50-374,
and 2; Clinton Power Station, Unit No. 1; Dresden	)	72-70, 50-352, 50-353,
Nuclear Power Station, Units 1, 2, and 3; James A.	)	72-65, 50-220, 50-410,
FitzPatrick Nuclear Power Plant; LaSalle County Station,	)	72-1036, 50-171, 50-277,
Units 1 and 2; Limerick Generating Station, Units 1 and 2;	)	50-278, 72-29, 50-254,
Nine Mile Point Nuclear Station, Units 1 and 2; Peach	)	50-265, 72-53, 50-244,
Bottom Atomic Power Station, Units 1, 2, and 3; Quad	)	72-67, 50-272, 50-311,
Cities Nuclear Power Station, Units 1 and 2; R. E. Ginna	)	72-48, 50-289, 72-77,
Nuclear Power Plant; Salem Nuclear Generating Station,	)	50-295, 50-304, and
Unit Nos. 1 and 2; Three Mile Island Nuclear Station,	)	72-1037 -LT
Unit 1; Zion Nuclear Power Station, Units 1 and 2; and	)	
Associated Independent Spent Fuel Storage Installations)	)	October 1, 2021
	)	

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**EXELON GENERATION’S NOTIFICATION TO THE COMMISSION REGARDING  
INFORMATION POTENTIALLY RELEVANT TO THE  
ADJUDICATORY PROCEEDING**

In accordance with its obligation to inform the Commission of information potentially relevant to the adjudicatory proceeding,<sup>1</sup> Exelon Generation Company, LLC (“Exelon Generation”) hereby notifies the Commission and the parties of the following information that the Commission and the parties may find relevant to certain proposed contentions in the above-captioned proceeding.

- (1) On September 15, 2021, the State of Illinois enacted energy legislation that provides the opportunity for additional revenue that would support the continued operation of Braidwood Station, Units 1 and 2, Byron Station, Units 1 and 2, and Dresden Nuclear Power Station, Units 2 and 3.<sup>2</sup>

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<sup>1</sup> See *Duke Power Co.* (William B. McGuire Nuclear Station, Units 1 & 2), ALAB-143, 6 AEC 623, 625 (1973).  
<sup>2</sup> Illinois Public Act 102-0662 enacted September 15, 2021, Section 90-30, amending the Illinois Power Agency Act, 20 ILCS § 3855/1-75(d-10).

- (2) On September 15, 2021, Exelon Generation informed the U.S. Nuclear Regulatory Commission (“NRC”) of its decision, because of Item (1) above, to reverse its previously announced decisions to retire both units at both Byron and Dresden Stations before the end of their licensed operating lives.<sup>3</sup>
- (3) On September 29, 2021, Exelon Generation submitted to the NRC an update (“LTA Update”)<sup>4</sup> to its pending Application for Order Approving License Transfers and Proposed Conforming License Amendments (“LTA”). The LTA Update reflects new information since the LTA was filed related to its discussion of financial qualifications and decommissioning funding assurance. Specifically, based on Items (1) and (2) above, the LTA Update reflects Exelon Generation’s updated assumption that its Byron, Dresden, Braidwood, and LaSalle Stations will continue to operate. The LTA Update also includes updated *pro forma* financial projections (proprietary and non-proprietary) that reflect those updated assumptions, as well as: updates to Exelon Generation’s 2021 – 2025 long range plan, including updated market prices for energy and capacity as of July 31, 2021; the final purchase price of Exelon Generation’s acquisition of EDF, Inc.’s ownership interest in Calvert LLC, Ginna LLC, and NMP LLC; and updates from Exelon Generation’s Updated Report on Status of Decommissioning Funding for Reactors and Independent Spent Fuel Storage Installations for Byron Station and Dresden Nuclear Power Station, which was submitted to the NRC on September 28, 2021.<sup>5</sup> The non-proprietary version of the LTA Update is enclosed herewith.

The Commission and the parties may view this information as relevant to the Environmental Law and Policy Center’s Proposed Contentions 1 and 2, and the State of Illinois’s Proposed Contentions 1, 2, and 3.

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<sup>3</sup> Letter from J. B. Fewell, Exelon Generation, to NRC Document Control Desk, RS-21-096, “Withdrawal of Certification of Permanent Cessation of Power Operations for Byron Station, Units 1 and 2, and Previously Submitted Licensing Actions in Support of Decommissioning” (Sept. 15, 2021) (ML21258A276); Letter from J. B. Fewell, Exelon Generation, to NRC Document Control Desk, RS-21-097, “Withdrawal of Certification of Permanent Cessation of Power Operations for Dresden Nuclear Power Station, Units 2 and 3, and Previously Submitted Licensing Actions in Support of Decommissioning” (Sept. 15, 2021) (ML21258A281).

<sup>4</sup> Letter from G. T. Kaegi, Exelon Generation, to NRC Document Control Desk, “Update to Application for Order Approving License Transfers and Proposed Conforming License Amendments” (Sept. 29, 2021) (non-proprietary version enclosed herewith).

<sup>5</sup> Letter from P. R. Simpson, Exelon Generation, to NRC Document Control Desk, RS-21-103, “Updated Report on Status of Decommissioning Funding for Reactors and Independent Spent Fuel Storage Installations for Byron Station and Dresden Nuclear Power Station,” (Sept. 28, 2021) (ML21271A113).

Respectfully submitted,

Executed in Accord with 10 C.F.R. § 2.304(d)

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Dated at Washington, D.C.  
this 1st day of October, 2021

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Unit 1; Zion Nuclear Power Station, Units 1 and 2; and	)	October 1, 2021
Associated Independent Spent Fuel Storage Installations)	)	

**CERTIFICATE OF SERVICE**

Pursuant to 10 C.F.R. § 2.305, I certify that, on this date, a copy of the foregoing “Exelon Generation’s Notification to the Commission Regarding Information Potentially Relevant to the Adjudicatory Proceeding” and its Enclosure were served upon the Electronic Information Exchange (the NRC’s E-Filing System), in the above-captioned docket.

*Signed (electronically) by Ryan K. Lighty*

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