

From: [Ullrich, Betsy](#)
To: [Douglas J Rosenberger](#)
Subject: RE: RE: Request for additional information - letter response needed
Date: Wednesday, June 15, 2022 2:00:00 PM
Attachments: [image001.png](#)

After some discussion with our legal counsel, the new information indicates that the change of control actually includes two entities: Wheeling Power, and Liberty Utilities.

1. Wheeling Power already owns 50% of the Mitchell Plant, and transfer of operation of the Mitchell Plan is going from Kentucky Power to Wheeling Power, and Wheeling Power will become responsible for licensed activities and be named on the license as the owner; and
2. The 50% of the Mitchell Plant currently owned by Kentucky Power is being sold to Liberty Utilities. This would give Liberty, and unknown entity to me at this point, 50% ownership and therefore 50% of the control of the Mitchell Plant's license.

We have agreement from Wheeling Power that they will become the licensee. However, Kentucky Power is selling their 50% of the ownership to Liberty Utilities but that does not include the licensed activities. Therefore so we also need Liberty Utilities to agree that their purchase of Kentucky Power's 50% does not include the licensed activities.

- Agree that there are no changes in the organization that controls licensed activities except that control will be transferred to Wheeling Power, and the name on the license will change to Wheeling Power;
- Agree that there are no changes in personnel that affect the licensed activities;
- Agree with the status of the facilities and equipment related to licensed activities;
- Agree that Wheeling Power will maintain records related to licensed activities; and
- Agrees to the transfer of control of the licensed activities to Wheeling Power, and the conditions of the transfer.

In addition, if Liberty Utilities possesses a specific license or general license from the NRC or an Agreement State, they should provide that information. If not, I need a contact information in order to schedule a meeting with them prior to approval of the change of control.

Thanks,
Betsy

From: Douglas J Rosenberger <djrosenberger@aep.com>
Sent: Tuesday, June 14, 2022 2:25 PM
To: Ullrich, Betsy <Elizabeth.Ullrich@nrc.gov>; Chad D Weatherson <cdweatherson@aep.com>
Subject: [External_Sender] RE: Request for additional information - letter response needed

Good afternoon, Betsy. I am just following up to see if my response below and the Organizational Structure that I had attached to my original email answered all of your questions so our request can be processed? Thanks.

DOUGLAS J ROSENBERGER | PLANT MGR MITCHELL



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From: Douglas J Rosenberger
Sent: Thursday, June 2, 2022 9:31 AM
To: Ullrich, Betsy <Elizabeth.Ullrich@nrc.gov>; Chad D Weatherson <cdweatherson@aep.com>
Subject: RE: Request for additional information - letter response needed

In response to your attached information request I am responding to all four requested items below:

1. In response to this item I have attached a spreadsheet that illustrates the Mitchell Plant Ownership Organizational Structure prior to the sale of Kentucky Power Company in the first tab and after the sale in the second tab. Prior to the sale Wheeling Power Company and Kentucky Power Company each owned 50% of Mitchell Plant. However Kentucky Power Company had 100% responsibility for operating and maintaining the plant for both companies while Wheeling Power Company would pay Kentucky Power Company for 50% of the bills. After Kentucky Power Company is sold to Liberty Utilities, Wheeling Power Company and Liberty Utilities each will own 50% of Mitchell Plant. However Wheeling Power Company will now have 100% responsibility for operating and maintaining the plant for both companies while Liberty Utilities will pay Wheeling Power Company for 50% of the bills.
2. Since Wheeling Power Company will be 100% responsible for operating and maintaining Mitchell Plant for both 50% owners (Wheeling Power Company and Liberty Utilities after the sale), Wheeling Power Company will be shown as the owner for the NRC License.
3. The present expected date the ownership will change is July 20, 2022 pending regulatory approvals.
4. Wheeling Power Company does not possess a specific license from the NRC or an Agreement State, or possess devices that are registered under a general license from the NRC or an Agreement State at this time. However Wheeling Power Company and Kentucky Power Company are both Holding Companies under American Electric Power Company and Kentucky Power Company presently holds the specific license for Mitchell Plant. We are seeking to transfer the present license to Wheeling Power Company's Name from Kentucky Power Company if possible. Both of which are holding companies under American Electric Power Company.

I appreciate your time and consideration on our request. Let me know if you have additional questions. Thanks.



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From: Ullrich, Betsy <Elizabeth.Ullrich@nrc.gov>
Sent: Friday, May 27, 2022 7:47 AM
To: Douglas J Rosenberger <djrosenberger@aep.com>; Chad D Weatherson

<cdweatherson@aep.com>

Subject: [EXTERNAL] Request for additional information - letter response needed

This is an **EXTERNAL** email. **STOP. THINK** before you **CLICK** links or **OPEN** attachments. If suspicious please click the '**Report to Incidents**' button in Outlook or forward to incidents@aep.com from a mobile device.

This message contains your a letter requesting additional informaiton about the change of ownership of your NRC license. You will not be receiving a paper copy in the regular mail. You should save a copy of the document, either in electronic format or paper, for your records. Please contact me by email or at 240-704-4575 if you have any questions about the letter.

Betsy Ullrich

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