

10 CFR § 2.790
AFFIDAVIT OF TODD D. CUTLER

I, Todd D. Cutler, Assistant Secretary of AmerGen Energy Company, LLC (AmerGen), do hereby affirm and state:

1. I am authorized to execute this affidavit on behalf of AmerGen.
2. AmerGen is providing proprietary information in "Proprietary Enclosure A" the Answer of AmerGen Energy Company, LLC to the Petition of Central Hudson Gas and Electric Corporation, Long Island Power Authority, and Rochester Gas and Electric Corporation For Leave to Intervene and Request for a Hearing. This document contains proprietary commercial information that should be held in confidence by the NRC pursuant to the policy reflected in 10 CFR §§ 2.790(a)(4) and 9.17(a)(4), because:
 - i. This information is and has been held in confidence by AmerGen.
 - ii. This information is of a type that is held in confidence by AmerGen, and there is a rational basis for doing so because the information contains sensitive commercial information proprietary to AmerGen and its affiliates.
 - iii. This information is being transmitted to the NRC in confidence.
 - iv. This information is not available in public sources and could not be gathered readily from other publicly available information.
 - v. Public disclosure of this information would create substantial harm to the competitive position of AmerGen by disclosing unique commercial terms to other parties whose commercial interests may be adverse to those of AmerGen and who might use this information to the competitive disadvantage of AmerGen.

1-WA12250R3.0

- 3. Accordingly, AmerGen requests that the designated documents be withheld from public disclosure pursuant to the policy reflected in 10 CFR §§ 2.790(a)(4) and 9.17(a)(4).

AmerGen Energy Company, LLC

Todd D. Cutler

Todd D. Cutler
Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA

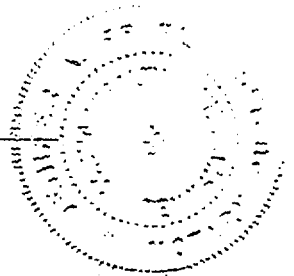
COUNTY OF Philadelphia

Subscribed and sworn to me, a Notary Public, in and for the County and state above named, this 1st day of November, 1999

Jenifer A. Friel

My Commission Expires:

NOTARIAL SEAL
 JENIFER A. FRIEL, Notary Public
 City of Philadelphia, Phila. County
 My Commission Expires Feb. 19, 2001



PROPRIETARY ENCLOSURE A

HAS BEEN RETAINED

IN

SECY/RAS