



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 15, 1999

Mr. Gerald R. Rainey  
AmerGen Energy Company, LLC  
Chief Executive Officer and  
Chief Nuclear Officer  
965 Chesterbrook Blvd.  
Wayne, PA 19087

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
CLINTON POWER STATION (TAC NO. MA5980)

Dear Mr. Rainey:

By your application dated July 23, 1999, and affidavit dated July 23, 1999, executed by Gerald R. Rainey, you submitted "NRC License Transfer Application" and requested that the "Proprietary Addendum To NRC License Transfer Application" be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version was submitted for placement in the NRC public document room.

Additional proprietary information regarding the license transfer application was submitted by letters dated October 7 and 11, 1999, by Kevin P. Gallen, Counsel for AmerGen Energy Company, LLC, and affidavit dated October 6, 1999, executed by Edward J. Cullen. Nonproprietary versions of the information were submitted for placement in the NRC public document room.

The affidavits stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information contains sensitive financial information concerning AmerGen's projected revenues and operating expenses.
2. Public disclosure of this information would create substantial harm to the competitive position of AmerGen by disclosing AmerGen's internal financial projections and the commercial terms of a unique transaction to other parties whose commercial interests may be adverse to those of AmerGen.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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PDR ADOCK

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 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.

If you have any questions regarding this matter, I may be reached at (301) 415-3027.

Sincerely,

Original signed by:

Jon B. Hopkins, Senior Project Manager, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-461

cc: See next page

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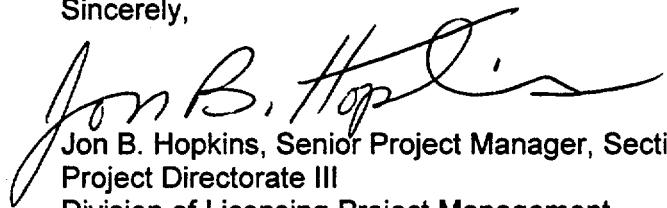
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Sincerely,

A handwritten signature in cursive script, appearing to read "Jon B. Hopkins".

Jon B. Hopkins, Senior Project Manager, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-461

cc: See next page

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cc:

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