

December 18, 2012

Rafael Flores, Senior Vice President
Nuclear Engineering & Support
Luminant Generation Company, LLC.
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: LUMINANT GENERATION COMPANY, LLC. - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4, COMBINED LICENSE APPLICATION PART 1, "ADMINISTRATIVE AND FINANCIAL INFORMATION," REVISION 3

Dear Mr. Flores:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated June 28, 2012, you submitted an affidavit, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4
DOCKET NUMBERS 52-034 AND 52-035
COMBINED LICENSE APPLICATION REVISION 3

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room (ML12201A729).

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

- Luminant and CPNPC [Comanche Peak Nuclear Power Company LLC] are providing information in support of the combined license (COL) application for Comanche Peak Nuclear Power Plant, Units 3 and 4. Part 1 of this application contains pro forma financial information and other information related to the financing and development of Units 3 and 4 and certain non-public information concerning the investment in CPNPC by its members, Luminant, through its wholly owned subsidiary, Nuclear Energy Future Holdings II LLC, and MHI, through its wholly owned subsidiary, MHI Nuclear North America, Inc., all of which is considered confidential and sensitive business information. Its disclosure would place CPNPC and its members at a distinct disadvantage in conducting business as competitors could analyze the data to identify strengths and weaknesses, and then seek to capitalize on those perceived strengths and weaknesses.

We have reviewed your application and the materials in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the versions of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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 appropriated 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 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) 415-1544, or via e-mail at Stephen.Monarque@nrc.gov.

Sincerely,

/RA/

Stephen Monarque, Senior Project Manager
Licensing Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket Nos. 52-034 and 52-035

cc: See next page

We have reviewed your application and the materials in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the versions of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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If you have any questions regarding this matter, I may be reached at (301) 415-1544, or via e-mail at Stephen.Monarque@nrc.gov.

Sincerely,

/RA/

Stephen Monarque, Senior Project Manager
Licensing Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket Nos. 52-034 and 52-035

cc: See next page

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COL - Comanche Peak Mailing List

(Revised 10/02/2012)

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