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NP-09-0007  
July 1, 2009

10 CFR 52.3

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Subject: Exelon Nuclear Texas Holdings, LLC  
Victoria County Station, Units 1 and 2  
Transition from Combined License Application to  
Early Site Permit Application  
NRC Docket Nos. 52-031 and 52-032

Reference: Letter from K. A. Ainger (Exelon Generation Company) to NRC, "Victoria County Station, Units 1 and 2, Expected Submission Date for COL Application Revision," dated March 13, 2009

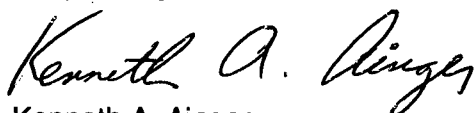
In the referenced letter, Exelon Nuclear Texas Holdings, LLC (Exelon) submitted a voluntary response to NRC Regulatory Issue Summary 2009-03, "Process for Scheduling Acceptance Reviews of New Reactor Licensing Applications After April 2009 and Process for Determining Budget Needs for Fiscal Year 2011." In that response, Exelon indicated it planned to submit Revision 1 to the docketed combined license application for the proposed Victoria County Station, Units 1 and 2 in the third quarter of 2009. That revision was planned to incorporate by reference the Advanced Boiling Water Reactor design certification rule in Appendix A of 10 CFR Part 52.

This letter notifies the NRC that Exelon has decided to pursue an Early Site Permit (ESP) for the proposed Victoria County site rather than a combined license. This decision has been brought about by uncertainties in the domestic economy, the limited availability of federal loan guarantees and related economic considerations.

Exelon plans to submit the ESP application either late in the fourth quarter of 2009, or in the first quarter of 2010. Exelon will notify the NRC of the expected submittal date (month, day, year) of the ESP application at least 90 days prior to the submittal.

If you have any questions regarding this information, please contact Joseph A. Bauer at (630) 657-3106.

Respectfully,



Kenneth A. Ainger  
Director – New Plant Licensing

cc: NRC Director, Office of New Reactors/NRLPO  
NRC Project Manager, Division of New Reactor Licensing, VCS Units 1 and 2  
NRC Regional Administrator, Region IV

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