



**Luminant**

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CP-201000849  
Log # TXNB-10045

Ref. # 10 CFR 52  
10 CFR 2.390

June 22, 2010

U. S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555  
ATTN: David B. Matthews, Director  
Division of New Reactor Licensing

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4  
DOCKET NUMBERS 52-034 AND 52-035  
UPDATE TRACKING REPORT REVISION 0 FOR COLA PART 1 REVISION 1

Dear Sir:

Luminant Generation Company LLC (Luminant) submits herein Update Tracking Report (UTR), Revision 0 for the Comanche Peak Nuclear Power Plant Units 3 and 4 Combined License Application Part 1, Administrative and Financial Information. This UTR reflects changes resulting from responses to NRC requests for additional information and provides updated financial information.

Attachment 1 is a public version of the UTR and Attachment 2 is a proprietary version. Both attachments are submitted to the Document Control Desk on a single CD. The NRC is requested to withhold Attachment 2 from public disclosure under 10 CFR 2.390(a)(4) and the required affidavit is included. This letter is unrestricted for public disclosure upon separation from Attachment 2.

Should you have any questions regarding this submittal, please contact Don Woodlan (254-897-6887, Donald.Woodlan@luminant.com) or me.

This letter completes Regulatory Commitments #7501 and #7511 made to the NRC on June 10, 2010 in letter TXNB-10043. There are no commitments in this letter.

I state under penalty of perjury that the foregoing is true and correct.

Executed on June 22, 2010.

Sincerely,

Luminant Generation Company LLC

*Donald R. Woodlan*

Rafael Flores

- Attachments: 1. COLA Part 1 Revision 1, Update Tracking Report Revision 0 (Public Version)  
2. COLA Part 1 Revision 1, Update Tracking Report Revision 0 (Proprietary Version)

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NRO

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Luminant Records Management (.pdf files only)

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
Luminant Generation Company LLC ) Docket Numbers  
Comanche Peak Nuclear Power Plant, Units 3 and 4 ) 52-034 and 52-035

AFFIDAVIT

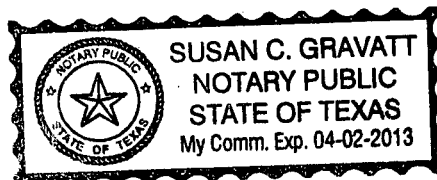
I, Rafael Flores, being duly sworn, hereby depose and state I am the Senior Vice President and Chief Nuclear Officer for Luminant Generation Company LLC (Luminant) and Senior Vice President and Chief Nuclear Officer for Comanche Peak Nuclear Power Company LLC (CPNPC), and do hereby affirm and state:

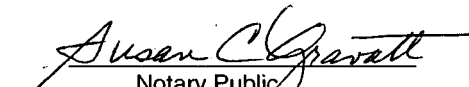
1. I am authorized to execute this affidavit on behalf of Luminant and CPNPC.
2. Luminant and CPNPC are providing information in support of the combined license (COL) application for Comanche Peak Nuclear Power Plant, Units 3 and 4. Part 1 of this application contains pro forma financial information 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.
3. COL Application Part 1 contains information regarding the financial plans, basis of project and construction cost, and information regarding the financing and development of Comanche Peak Units 3 and 4. This information is considered confidential and contains sensitive business information. The disclosure of this information would permit competitors to gain commercial advantages through access to non-public information about Luminant, CPNPC and its members, and the project's financial condition and agreements. Additionally, competitors could analyze this data to identify strengths and weaknesses of Luminant, CPNPC and its members, and could capitalize on this data.
4. As such, this information is protectable under 10 CFR 2.390(a)(4) and 9.17(a)(4), because:
  - i. This information is and has been held in confidence by Luminant, CPNPC, and its members.
  - ii. This information is of a type that is customarily held in confidence by Luminant, CPNPC, and its members, and there is a rational basis for doing so because the information contains sensitive financial information concerning projected revenues and operating expenses of CPNPC.
  - iii. This information is being submitted to the NRC voluntarily and 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 Luminant and CPNPC by disclosing its internal financial projections and agreements.
5. Accordingly, Luminant and CPNPC request that the designated document be withheld from public disclosure pursuant to the policy reflected in 10 CFR 2.390(a)(4) and 9.17(a)(4).

  
Rafael Flores

STATE OF TEXAS  
COUNTY OF SOMERVELL

Subscribed and sworn to me, a Notary Public, in and for the State of Texas, this 17<sup>th</sup> day of June 2010.



  
Notary Public

## **Attachment 1**

### **COLA Part 1 Revision 1, Update Tracking Report Revision 0 (Public Version)**

(Because of text being added and deleted, the page numbers in the attachment may not correspond exactly with the page numbers in COLA Part 1 Revision 1)

U. S. Nuclear Regulatory Commission  
CP-20100849  
TXNB-10045  
6/22/2010

**Attachment 2**

**COLA Part 1 Revision 1, Update Tracking Report Revision 0  
(Proprietary Version)**

(Because of text being added and deleted, the page numbers in the attachment may not correspond exactly with the page numbers in COLA Part 1 Revision 1)

{ Information to be withheld from public disclosure is designated by single braces. }