

**Exelon®****Fax**

**Date:** May 8, 2009

**To:** Steven J. Raabe, P.E.  
Administrative Agent for Region L  
210-302-3692

**From:** Thomas P. Mundy

**Subject:** Proposed Amendment to 2006 Region L Water Plan

**#/Pages:** 3 (including cover sheet)

Attached please find a letter dated May 8, 2009, addressed to Steven J. Raabe, P.E.,  
Administrative Agent for Region L, c/o San Antonio River Authority.

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VIA - U.S. MAIL AND FACSIMILE

May 8, 2009

Steven J. Raabe, P.E.  
Administrative Agent for Region L  
c/o San Antonio River Authority  
P.O. Box 839980  
San Antonio, TX 78283-9980

Dear Mr. Raabe:

Thank you for the opportunity to comment on the proposed amendment to the adopted 2006 Region L Water Plan.

As the planning group is aware, the Guadalupe-Blanco River Authority ("GBRA") and the Exelon Generation Company, LLC ("Exelon") executed a Reservation Agreement on December 17, 2007 regarding water supply to support operations of a proposed nuclear generation facility in Victoria County, Texas. This agreement reserves, for a period of time, up to 75,000 acre-feet per year from Certificate of Adjudication (CA) 18-5178 for diversion and use by Exelon at the proposed plant site.

Projected water demands for steam-electric power generation in Victoria County that reflect this potential demand have been considered as part of the 2011 water planning process. Further, a potential project to divert, convey, store and use the existing water rights reserved by Exelon under the Reservation Agreement noted above is being evaluated by the Region L Water Planning Group as part of the 2011 regional water planning process.

Such use of water is consistent with the adopted 2006 Region L Water Plan, which supports the use of water supplies made available under existing water rights by lease or purchase agreements. The proposed amendment to the 2006 Region L Water Plan would add a water management strategy for the Lower Guadalupe Water Supply Project for Upstream GBRA Needs. In analyzing the availability of water for the LGWSP for Upstream GBRA Needs, Region L has focused on CA 18-5178, the least senior of GBRA's lower basin water rights. But as noted in the proposed amendment, GBRA could provide most, if not all, of the water for the LGWSP for Upstream GBRA Needs from "firm senior water rights". We believe this statement should be expanded to recognize that the water could also be supplied under other portions of GBRA's non-firm lower basin water rights.

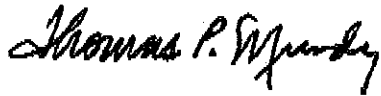
In addition, because it is anticipated that the LGWSP for Upstream GBRA Needs may be supplied using other water rights, we encourage the Planning Group to add a statement to the Project Description for the LGWSP for Upstream GBRA Needs that alternative uses of the water, if necessary authorizations are obtained pursuant to TCEQ rules and applicable law, are consistent with the adopted plan. This would eliminate potential confusion during the

Mr. Steven J. Raabe, P.E  
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interim period between the adoption of the proposed amendment to the 2006 Regional Water Plan and the adoption of the 2011 Regional Water Plan.

Thank you for your consideration. Please contact Mr. Joseph Williams at (630) 657-3843, or the undersigned at 610-765-5662 if you would like to discuss this matter further.

Sincerely,



Thomas P. Mundy  
Director, New Plant Development

cc: W. Scott  
S. Butler  
L. Dougal  
J. Williams  
W. West