SOUTHERN CALIFORNIA
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Dwight E. Nunn
Vice President

June 19, 2001

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555

Subject: **Docket Nos. 50-361 and 50-362**
Proposed Change Number NPF-10/15-514
Increase in Reactor Power to 3438 MWt
San Onofre Nuclear Generating Station, Units 2 and 3

References:

1. SCE to NRC letter dated April 23, 2001, Subject: Proposed Change Number NPF-10/15-514 Increase in Reactor Power to 3438 MWt, San Onofre Nuclear Generating Station Units 2 and 3

2. NRC to Westinghouse Electric Company letter dated June 5, 2001, San Onofre Nuclear Generating Station (SONGS) Units 2 and 3 - Request for Withholding Information from Public Disclosure (TAC Nos. MB1623 and MB1624)

Gentlemen:

Reference 1 submitted a copy of the proprietary Westinghouse calculation "Steam Flow Uncertainty Based on the Warranted Crossflow Flow Uncertainties at SCE SONGS Units 2 and 3," Westinghouse Electric Company, CE Engineering Technology - Plant Systems, calculation number A-SG-PS-0002, Revision 000, dated November 17, 2000, SONGS number 1814-AA023-C0029-0. Enclosure 3 of Reference 1 provided an affidavit by Philip W. Richardson, Licensing Project Manager, Windsor Nuclear Licensing. This affidavit contained an error in the date of the proprietary calculation (November 11, 2000 instead of November 17, 2000).

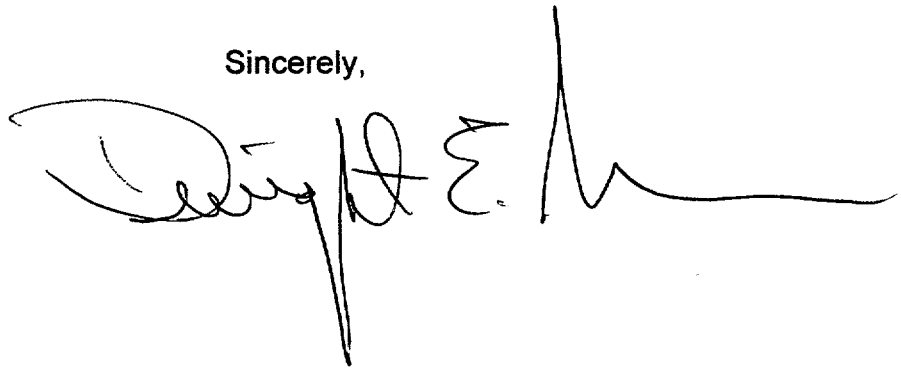
Enclosed with this letter is a replacement affidavit dated May 17, 2001 with the correct proprietary calculation date of November 17, 2000.

A001

P. O. Box 128
San Clemente, CA 92674-0128
949-368-1480
Fax 949-368-1490

If you have any further questions regarding this issue, please contact me or Mr. Jack L. Rainsberry (949) 368-7420.

Sincerely,



Enclosure

cc: E. W. Merschoff, Regional Administrator, NRC Region IV
C. C. Osterholtz, NRC Senior Resident Inspector, San Onofre Units 2 and 3
J. E. Donoghue, NRC Project Manager, San Onofre Units 2 and 3
S. Y. Hsu, Department of Health Services, Radiologic Health Branch

ENCLOSURE

AFFIDAVIT PURSUANT TO 10 CFR 2.790

I, Philip W. Richardson, depose and say that I am the Licensing Project Manager, Windsor Nuclear Licensing, of Westinghouse Electric Company LLC (WEC), duly authorized to make this affidavit, and have reviewed or caused to have reviewed the information which is identified as proprietary and referenced in the paragraph immediately below. I am submitting this affidavit in conformance with the provisions of 10 CFR 2.790 of the Commission's regulations and in conjunction with the application of Southern California Edison (SCE) for withholding this information.

The information for which proprietary treatment is sought is contained in the following document:

A-SG-PS-0002, Rev. 000, "Steam Flow Uncertainty Based on the Warranted CROSSFLOW Flow Uncertainties at SCE SONGS Units 2 and 3", November 17, 2000

This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by WEC in designating information as a trade secret, privileged or as confidential commercial or financial information.

Pursuant to the provisions of Section 2.790(b)(4) of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld.

1. The information sought to be withheld from public disclosure, is owned and has been held in confidence by WEC. It consists of specific design uncertainty values, methodologies, and performance information for the CROSSFLOW UFM System.
2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in substantial competitive advantage to WEC.
3. The information is of a type customarily held in confidence by WEC and not customarily disclosed to the public. WEC has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence.
4. The information is being transmitted to the Commission in confidence under the provisions of 10 CFR 2.790 with the understanding that it is to be received in confidence by the Commission.
5. The information, to the best of my knowledge and belief, is not available in public sources, and any disclosure to third parties has been made pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.
6. Public disclosure of the information is likely to cause substantial harm to the competitive position of WEC because:
   a. A similar product is manufactured and sold by major pressurized water reactor competitors of WEC.
   b. Development of this information by WEC required hundreds of thousands of dollars and hundreds of man-hours of effort. A competitor would have to undergo similar expense in generating equivalent information.
   c. In order to acquire such information, a competitor would also require considerable time and inconvenience to develop specific design uncertainty values, methodologies, and performance information for the CROSSFLOW UFM System.
   d. The information consists of specific design uncertainty values, methodologies, and performance information for the CROSSFLOW UFM System, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with WEC, take marketing or other actions to improve their product's position or impair the position of WEC's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.
   e. In pricing WEC's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of WEC's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.
   f. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on WEC 's potential for obtaining or maintaining foreign licensees.

Further the deponent sayeth not.

Philip W. Richardson
Licensing Project Manager
Windsor Nuclear Licensing

Sworn to before me
this 18th day of June, 2001

Laurie J. White
Notary Public
My commission expires: 8/31/04