

December 29, 2003

Mr. David J. Robare  
General Electric Company,  
175 Curtner Avenue  
San Jose, CA 95125

SUBJECT: GENERAL ELECTRIC COMPANY, REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR DRESDEN NUCLEAR  
POWER STATION, UNITS 2 AND 3 (TAC NOS. MB7850 AND MB7851)

Dear Mr. Robare:

By a February 27, 2003 letter addressed to the U.S. Nuclear Regulator Commission (NRC), P. R. Simpson, Manager, Licensing, Exelon Generation Company, requested a change to facility operating licenses DPR-19 and DPR-25 and the Technical Specifications for Dresden Nuclear Power Station, Units 2 and 3, regarding reactor coolant system pressure and temperature limits. By subsequent communications from the NRC staff, the NRC requested additional information concerning the proposed change. In response, Exelon provided additional information to the NRC by letters, including one dated July 31, and another one dated September 11, 2003.

In the above mentioned letters dated July 31, and September 11, 2003, that provided additional information to the NRC, Exelon enclosed a document containing a complete version of the information, as well as a version from which some of the material contained in the complete version had been expunged. The complete version had the words "GE Proprietary Information" marked at the top of each page of the document. Each letter also enclosed an affidavit executed by you as Technical Projects Manager, Technical Service, General Electric Company (GE), requesting that NRC withhold the complete version of the information from public disclosure in accordance with 10 CFR 2.790 and 9.17, and stating the basis for the request.

The affidavits executed by you are identical in substance. Among other things, they state the information sought to be withheld from public disclosure is of a sort that GE customarily holds in confidence, that public disclosure of the information is likely to foreclose or reduce the availability to GE of profit-making opportunities, and will cause substantial harm to GE's competitive position.

We have reviewed your affidavit and the material supplied by Exelon, and have determined that the complete version of the GE information referred to above will be withheld from public disclosure pursuant to 10 CFR 2.790. Copies of the version of the information, from which the material you stated to be proprietary has been expunged, have been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the complete GE documents. If the need arises, we may send

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copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling the withheld information.

In addition, circumstances may arise in the future in which the NRC may reevaluate the determination to withhold from the public material expunged from the publicly available document. For example, if we received a Freedom of Information request to which such material is responsive, we will review the document again in that context. You will be notified in advance of any public disclosure, if in the course of such a reevaluation the NRC makes a determination adverse to your request.

If the basis for your request for withholding from the public material expunged from the publicly available document should change in the future, you should promptly notify the NRC.

If you have any questions regarding this matter, I may be reached at 301-415-2277.

Sincerely,

*/RA/*

Maitri Banerjee, Project Manager  
Project Directorate III, Section 2  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos.: 50-237 and 50-249

cc: See next page

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Maitri Banerjee, Project Manager  
Project Directorate III, Section 2  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos.: 50-237 and 50-249

cc: See next page

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OFFICIAL RECORD COPY

Dresden Nuclear Power Units 2 and 3

cc:

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Morris, IL 60450-9766

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