



TXU Power
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Mike Blevins
Senior Vice President &
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Ref: EA-04-190

CPSES-200402681
Log # TXX-04208

November 24, 2004

U. S. Nuclear Regulatory Commission
Mr. James E. Dyer
Director, Office of Nuclear Reactor Regulation
Room 5D2, Mail Stop 5E7
11555 Rockville Pike
Rockville, Maryland 20852

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION (CPSES)
DOCKET NOS. 50-445 AND 50-446
REQUEST FOR EXTENSION TO RESPOND TO THE NOVEMBER
5, 2004 ORDER IMPOSING REQUIREMENTS FOR PROTECTION
OF CERTAIN SAFEGUARDS INFORMATION (EA-04-190)

REFERENCES: EA-04-190 Transmittal letter from the NRC Dated November 5, 2004 to
Mr. Mike Blevins, TXU Generating Company, LP

Mr. Dyer:

Section IV of the November 5, 2004, Order Imposing Requirements for the Protection of Certain Safeguards Information (EA-04-190) ("Order") states that, in accordance with 10 CFR §2.202, the recipient of the Order must submit an answer to the Order, and may request a hearing on the Order, within 20 days of the date of the Order. Attachment 2 to the Order, *Modified Handling Requirements for the Protections of Certain Safeguards Information (SGI-M)*, which is incorporated by reference into the Order, contains detailed requirements which recipients of the Order must meet.

This letter constitutes the response of TXU Generating Company LP (TXU Power) to the Order. Pursuant to the provisions of Section IV of the Order, TXU Power hereby requests an extension of time in which to submit an answer to or request a hearing with respect to one or more provisions of the Order. The implications of the Order to licensees who have a program for controlling Safeguards Information that meets all current regulatory requirements is not clear, and the granting of time to interact with the NRC to ensure that the Commission's intent of the Order and how it is to be implemented, is clear and both necessary and appropriate.

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TXU Power requests an extension of time to respond to the Order not to exceed twenty (20) days after clarification of the following issues:

1. Clarify that an existing Safeguards Information program can be used and how it can be used to satisfy the Order (i.e., a separate SGI-M program is not required), and that no changes to that Safeguards Information program are required by the Order.
2. Attachment 2 establishes different, and in some cases, more restrictive requirements than our existing Safeguards Information program.
3. Resolution of potential programmatic compliance issues arising when a licensee uses its existing Safeguards Information program but must interface with an entity using an SGI-M program where the requirements are different (e.g., double versus single envelopes; differing requirements on telecommunications).

The need for clarity regarding these and related issues constitutes good cause for the requested extension to be granted. During this period, TXU Power will control all material designated SGI-M under its Safeguards Information program. TXU Power also requests that the Commission exercise enforcement discretion during this period.

If you have any questions concerning this matter, please contact Mr. Fred Madden at (254) 897-8601, or Mr. Don Alps at (254) 897-5432. This communication contains no new or revised commitments for CPSES, Units 1 and 2.

In accordance with 10 CFR 2.202(b), the following affirmation is provided:

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

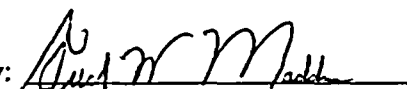
Executed on November 24, 2004.

Sincerely,

TXU Generation Company LP

By: TXU Generation Management Company LLC,
Its General Partner

Mike Blevins

By: 
Fred W. Madden
Director, Regulatory Affairs

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c - B. S. Mallett, Region IV

M. C. Thadani, NRR

Director of Nuclear Security, Office of
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Resident Inspectors, CPSES