

November 28, 2005

Mr. B. F. Maurer
Acting Manager, Regulatory Compliance
and Plant Licensing
Westinghouse Electric Company LLC
P.O. Box 355
Pittsburgh, PA, 15230-0355

SUBJECT: FPL ENERGY SEABROOK, LLC, REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR SEABROOK STATION
(TAC NO. MC4907)

Dear Mr. Maurer:

By letter dated September 29, 2005, FPL Energy Seabrook, LLC (FPLE) submitted an affidavit executed by you, dated September 7, 2005, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

LTR-CDME-05-170-P, "Limited Inspection of the Steam Generator Tube Portion
Within the Tubesheet at Seabrook Generating Station," dated August 2005

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (1) This information is of the type typically held in confidence by Westinghouse Electric Company LLC (Westinghouse), and is in fact so held.
- (2) The information is being transmitted to the NRC in confidence.
- (3) The information has not been publically disclosed, nor is it available in public sources.
- (4) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.), where prevention of its use by Westinghouse's competitors constitutes a competitive economic advantage over other companies.
- (5) The information, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

- (6) The information reveals aspects of past, present, or future Westinghouse or customer-funded development plans and programs of potential commercial value to Westinghouse.
- (7) Use of the information by a competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at Westinghouse's expense.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You should also understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-2481.

Sincerely,

/RA/

G. Edward Miller, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-443

cc: See next page

Seabrook Station, Unit No. 1

cc:

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Regulatory Programs Manager
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Seabrook Station, Unit No. 1

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Juno Beach, FL 33408-0420

Marjan Mashhadi
Senior Attorney
Florida Power & Light Company
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Washington, DC 20004

- (6) The information reveals aspects of past, present, or future Westinghouse or customer-funded development plans and programs of potential commercial value to Westinghouse.
- (7) Use of the information by a competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at Westinghouse's expense.

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If you have any questions regarding this matter, I may be reached at 301-415-2481.

Sincerely,
/RA/

G. Edward Miller, Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-443

cc: See next page

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