MITSUBISHI HEAVY INDUSTRIES, LTD.

16-5, KONAN 2-CHOME, MINATO-KU
TOKYO, JAPAN

May 15, 2006

U.S. Nuclear Regulatory Commission
Document Control Desk
Rockville, Maryland 20852

Attention: Mr. David Matthews, Director
Division of New Reactor Licensing

Subject: Enclosure 1

Enclosure 1 contains MHI proprietary information as defined in 10 CFR2.390. MHI has maintained this intent in confidence and has not disclosed it to the public due its commercial sensitivity.

Enclosure 2 provides the NRC the affidavit required to secure acceptance of Enclosure 1 as proprietary information in its entirety in accordance with the provisions of 10 CFR 2.390. A non-proprietary version of this document is not available.

If you have any questions about the information provided herein, please contact C. Keith Paulson at (412) 374-4063 or ckpaulson@aol.com.

Thank you.

Yours truly,

Y. Shibata

Mr. Yoshinobu Shibata,
Vice President – U.S. Marketing & Operations Group
Nuclear Energy Systems Department
Mitsubishi Heavy Industries Ltd.

Enclosure 1 (Confidential)
Enclosure 2 Affidavit

cc. Ms. Amy Cubbage USNRC (w/o enclosures)
Mr. Yohei Nishi MHIA
Mr. Keith Paulson MHIA

ZZZZ
Non-Public
Pending Review

MITSUBISHI HEAVY INDUSTRIES Ltd.

AFFIDAVIT

I, Yoshinobu Shibata, state as follows:

1. I am Vice President, U.S. Marketing & Operations Group, Nuclear Energy Systems Department of Mitsubishi Heavy Industries Ltd. (MHI), and have been delegated the function of reviewing the information in the enclosed letter, dated May 12, 2006 from Mr. Hiroshi Inoue, identifying the interests of MHI, and have been authorized to apply for its withholding as confidential and proprietary.

2. The information contained in the enclosed letter, dated May 12, 2006 is considered proprietary in its entirety and is marked "Confidential" on each page based on Paragraph 3 below.

3. In making this application for withholding of confidential information, MHI considers this information meets the criteria stipulated in the NRC regulations 10 CFR2.390(a)(4) for commercial or financial information obtained from MHI. More specifically, this information would signal competitors in the U.S. of the intent and timing MHI will market a competitive nuclear plant design. Therefore, disclosure of the enclosed letter from Mr. Inoue, dated May 12, 2006, would have the following negative commercial impacts on the competitive position of MHI in the U.S. nuclear plant market:

A. Loss of competitive advantage due to the exposure of the timing expectations of MHI for initiation and completion of the item identified in the enclosed letter dated May 12, 2006 from Mr. Inoue, and

B. Loss of competitive advantage due to prior competitive knowledge of the general design features.

4. The identification of the need for designating the information as confidential has been made by MHI and is being treated within MHI in the same manner, and has not been disclosed by MHI to the public. Disclosures outside MHI are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information.

I declare under penalty of perjury that the foregoing affidavit and the matters stated therein are true and correct to the best of my knowledge, information and belief.

Executed on this 15th day of May 2005.

Y. Shibata

Yoshinobu Shibata
Vice President – U.S. Marketing & Operations Group
Nuclear Energy Systems Department
Mitsubishi Heavy Industries Ltd.