

August 21, 2006

Mr. George B. Stramback  
Manager, Regulatory Services  
GE Nuclear Energy  
1989 Little Orchard Street M/C HME  
San Jose, CA 95125-1030

SUBJECT: GENERAL ELECTRIC COMPANY, REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR BROWNS FERRY  
NUCLEAR PLANT, UNITS 1, 2, AND 3 (TAC NOS. MC3812, MC3743, AND  
MC3744)

Dear Mr. Stramback:

In two letters, both dated March 7, 2006, the Tennessee Valley Authority submitted affidavits, both dated March 2, 2006, and executed by Mr. George B. Stramback, requesting that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 390:

Enclosure 1 to Response to NRC Round 3 Requests for Additional  
Information Related to Technical Specification (TS) Change  
No. TS-431 - Request for Extended Power Uprate Operation for Unit 1  
(TAC No. MC3812)

Enclosure 1 to Response to NRC Round 3 Requests for Additional  
Information Related to Technical Specification (TS) Change  
No. TS-418 - Request for Extended Power Uprate Operation for Units 2  
and 3 (TAC Nos. MC3743 and MC3744)

Nonproprietary copies of these document have 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 affidavits stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (a) Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies.
- (b) Information which, 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.

We have reviewed your applications and the materials 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 versions 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 also should 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 301-415-2315.

Sincerely,

*/RA/*

Eva A. Brown, Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-259, 50-260, 50-296

cc: See next page

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Mr. George B. Stramback

**BROWNS FERRY NUCLEAR PLANT**

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Mr. George B. Stramback

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**BROWNS FERRY NUCLEAR PLANT**

cc:

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