

December 20, 2006

Mr. George B. Stramback
Regulatory Services Project Manager
GE Nuclear Energy
175 Curtner Avenue
San Jose, CA 95125

SUBJECT: GENERAL ELECTRIC COMPANY, REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR BROWNS FERRY
NUCLEAR PLANT, UNITS 1, 2, AND 3 - REQUEST FOR ADDITIONAL
INFORMATION FOR EXTENDED POWER UPRATE - ROUND 10
(TAC NOS. MC3812, MC3743 AND MC3744) (TS-431 AND TS-418)

Dear Mr. Stramback:

By letter dated October 5, 2006, Tennessee Valley Authority (TVA) submitted an affidavit dated September 29, 2006, executed by you, 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:

Enclosure 1 to GE [General Electric] letter GE-ER1-AEP-06-349
Larry King (GE) to J. Valente (TVA), *GE Responses to NRC Requests
for Additional Information – SBWB – 50/75*, dated September 29, 2006

The information was contained in Enclosure 1 of TVA's letter dated October 5, 2006. 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:

- 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 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(s) 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, please contact me 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, and 50-296

cc w/enclosure: See next page

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Mr. George B. Stramback

BROWNS FERRY NUCLEAR PLANT

cc:

Mr. Karl W. Singer
Chief Nuclear Officer and
Executive Vice President
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, Tennessee 37402-2801

Mr. Ashok S. Bhatnagar, Senior Vice President
Nuclear Operations
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Mr. Larry S. Bryant, Vice President
Nuclear Engineering & Technical Services
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Brian O'Grady, Site Vice President
Browns Ferry Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Decatur, AL 35609

Mr. Preston D. Swafford, Senior Vice President
Nuclear Support
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

General Counsel
Tennessee Valley Authority
ET 11A
400 West Summit Hill Drive
Knoxville, TN 37902

Mr. John C. Fornicola, General Manager
Nuclear Assurance
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Mr. Bruce Aukland, Plant Manager
Browns Ferry Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Decatur, AL 35609

Mr. Masoud Bajestani, Vice President
Browns Ferry Unit 1 Restart
Browns Ferry Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Decatur, AL 35609

Mr. Robert G. Jones, General Manager
Browns Ferry Site Operations
Browns Ferry Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Decatur, AL 35609

Mr. Larry S. Mellen
Browns Ferry Unit 1 Project Engineer
Division of Reactor Projects, Branch 6
U.S. Nuclear Regulatory Commission
61 Forsyth Street, SW.
Suite 23T85
Atlanta, GA 30303-8931

Ms. Beth A. Wetzel, Manager
Corporate Nuclear Licensing
and Industry Affairs
Tennessee Valley Authority
4X Blue Ridge
1101 Market Street
Chattanooga, TN 37402-2801

Mr. William D. Crouch, Manager
Licensing and Industry Affairs
Browns Ferry Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Decatur, AL 35609

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
Browns Ferry Nuclear Plant
10833 Shaw Road
Athens, AL 35611-6970

State Health Officer
Alabama Dept. of Public Health
RSA Tower - Administration
Suite 1552
P.O. Box 303017
Montgomery, AL 36130-3017

Chairman
Limestone County Commission
310 West Washington Street
Athens, AL 35611

Mr. Robert H. Bryan, Jr., General Manager
Licensing and Industry Affairs
Tennessee Valley Authority
4X Blue Ridge
1101 Market Street
Chattanooga, TN 37402-2801