



**BRUCE H HAMILTON**  
Vice President  
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March 8, 2007

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20555

Subject: Duke Power Company LLC d/b/a Duke Energy Carolinas, LLC  
Oconee Nuclear Station  
Docket Nos. 50-269, 50-270, 50-287  
Testing For Evaluation of Fire-Induced Spurious Actuations in Armored-Cable  
Control Circuits Test Results

In August and September, 2006, Duke Power Company LLC d/b/a Duke Energy Carolinas, LLC (Duke) performed testing for the evaluation of Fire-Induced Spurious Actuations in Armored-Cable Control Circuits at Intertek Testing Laboratories, NA, Inc. Nuclear Regulatory Commission (NRC) personnel also attended and observed this testing. At the conclusion of testing, NRC personnel obtained a copy of Duke's test results and prepared a report using those results. Duke considers the test results proprietary and requests the NRC to withhold this information from public disclosure. Enclosure 1 contains an affidavit from Duke that sets forth the basis on which the information may be withheld from public disclosure by the NRC pursuant to 10 CFR 2.390.

Please address any questions to Reene' Gambrell at 864-885-3364.

Very truly yours,

B. H. Hamilton,  
Site Vice President  
Oconee Nuclear Station

Enclosure

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cc: Mr. W. D. Travers, Regional Administrator  
U. S. Nuclear Regulatory Commission, Region II  
Atlanta Federal Center  
61 Forsyth St., SW, Suite 23T85  
Atlanta, Georgia 30303

Mr. L. Olshan, Project Manager  
Office of Nuclear Reactor Regulation  
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Mr. D. W. Rich  
Senior Resident Inspector  
Oconee Nuclear Site

**ENCLOSURE 1**

**AFFIDAVIT**



1. I am Vice-President of Duke Power Company LLC d/b/a Duke Energy Carolinas, LLC (Duke) and my responsibilities include reviewing the proprietary information sought to be withheld from public disclosure in connection with Duke. I am authorized to apply for its withholding on behalf of Duke.
2. I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.390 of the commission's regulations and in conjunction with the Duke application for withholding accompanying this Affidavit.
3. I have personal knowledge of the criteria and procedures utilized by Duke in designating information as a trade secret, privileged or as confidential commercial or financial information.
4. The following information is furnished pursuant to the provisions of paragraph 10 CFR 2.390(b)(4) to determine whether the information sought to be withheld from public disclosure should be withheld.
  - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Duke.
  - (ii) The information is of a type customarily held in confidence by Duke, is not customarily disclosed to the public and is transmitted to the commission in confidence.
  - (iii) The information sought to be protected is not now available in public sources to the best of our knowledge and belief and the release of such information might result in a loss of competitive advantage as follows:
    - a. It reveals the distinguishing aspects of a methodology where prevention of its use by any Duke competitors without license from Duke constitutes a competitive economic advantage over other companies.
    - b. It consists of supporting data, including analytical models, relative to a component or material, the application of which secures a competitive economic or technical advantage.
    - c. Its use 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 a similar product.
5. The information was provided to the commission in confidence and, under the provision of 10 CFR Section 2.390, it is to be held in confidence by the Commission.
6. The information sought to be protected is not available in public sources to the best of our knowledge and belief.
7. The proprietary information, as shown, sought to be withheld is information obtained during Duke's Testing For Evaluation of Fire-Induced Spurious Actuations in Armored-Cable Control Circuits at Intertek Testing Laboratories, NA, Inc. in August and September of 2006.

8. This information should be held in confidence because it provides details of analytical methods that were developed at significant expense. This information has substantial commercial value to Duke in connection with competition with other vendors for contracts.

The subject information could only be duplicated by competitors if they were to invest time and effort equivalent to that invested by Duke provided they have the requisite talent and experience.

Public disclosure of this information is likely to cause substantial harm to the competitive position of Duke, because it would simplify design and evaluation tasks without requiring a commensurate investment of time and effort.