

October 18, 2007

Mr. James A. Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company LLC
P.O. Box 355
Pittsburgh, PA 15230-0355

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY LLC REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE REGARDING LETTER (CAW-07-2296), SUBJECT: NEU-07-128 P-ATTACHMENT, "MILLSTONE NUCLEAR POWER STATION UNIT 3 STRETCH POWER UPRATE PROGRAM SUPPLEMENTAL INFORMATION," DATED JUNE 25, 2007 (PROPRIETARY) (TAC NO. MD6070)

Dear Mr. Gresham:

By letter dated July 13, 2007, as supplemented on September 12, 2007, Dominion Nuclear Connecticut, Inc. requested a proposed Stretch Power Uprate (SPU) amendment for Millstone Power Station Unit 3 (MPS3) that would increase the unit's authorized core power level from 3411 megawatts thermal (MWt) to 3650 MWt, and make changes to technical specifications as necessary.

As part of the proposed MPS3 SPU, you submitted a self-executed affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse), dated June 25, 2007, 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:

NEU-07-128 P-Attachment, "Millstone Nuclear Power Station Unit 3 Stretch Power Uprate Program Supplemental Information," dated June 25, 2007 (Proprietary)

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 (ADAMS) Public Electronic Reading Room.

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

- (4)(a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- (4)(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.

- (4)(e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

We have reviewed your application and the material in accordance with 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 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 301-415-3100.

Sincerely,

/ra/

John G. Lamb, Senior Project Manager
Plant Licensing Branch 1-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-423

cc. See next page

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Millstone Power Station, Unit No. 3

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