



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 25, 2009

Mr. Michael D. Wadley
Site Vice President
Prairie Island Nuclear Generating Plant
Northern States Power Company - Minnesota
1717 Wakonade Drive East
Welch, MN 55089

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNITS 1 AND 2
(TAC NOS. MD9142 AND MD9143)

Dear Mr. Wadley:

By letters dated February 9 and March 12, 2009 (Agencywide Documents Access and Management System Accession Nos. ML090410508 and ML090721087), you submitted three affidavits dated January 26, January 28, and February 26, 2009, executed by J. A. Gresham of Westinghouse Electric Company, LLC (Westinghouse), 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 2.390:

"Prairie Island 422V+ Fuel Transition Program RAI Responses (Proprietary)," dated January 20, 2009

"Prairie Island 422V+ Fuel Transition Program RAI Responses (Proprietary)," dated January 28, 2009

"Prairie Island 422V+ Fuel Transition Program RAI Responses – Containment and Structural Responses," dated February 26, 2009

The affidavits each stated that the proprietary information as submitted by Westinghouse is that associated with Xcel Energy's responses to the [Nuclear Regulatory Commission's] NRC's Request for Additional Information (re: Prairie Island Units 1 and 2 transition to the Westinghouse 0.422-Inch OD 14x14 VANTAGE+ Fuel). The proprietary information is included as Enclosure 3 to the February 9, 2009, letter, and as Enclosure 3 to the March 12, 2009, letter.

Nonproprietary versions of the documents have been placed in the NRC's Public Document Room and added to the ADAMS Electronic Reading Room.

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

- (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.

- (c) Its use by a competitor would reduce his expenditures of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.

Additionally, you stated that the information was transmitted to the NRC in confidence, has been held in confidence, is of a type customarily held in confidence, and is not available in a public source.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the applicable portions of the document 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) 415-4037.

Sincerely,



Thomas J. Wengert, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-282 and 50-306

cc: Additional Distribution via ListServ

Prairie Island Nuclear Generating Plant,
Units 1 and 2

cc:

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

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/RA/
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 Plant Licensing Branch III-1
 Division of Operating Reactor Licensing
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