



DAVE BAXTER
Vice President
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February 27, 2009

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

Subject: Duke Energy Carolinas, LLC
Oconee Nuclear Station, Units 1, 2, and 3
Docket Numbers 50-269, 50-270, and 50-287
License Amendment Request for Reactor Protective System/Engineered
Safeguards Protective System Digital Upgrade, Technical Specification Change
(TSC) Number 2007-09, Supplement 12

In the January 31, 2008, Duke Energy Carolinas, LLC (Duke) License Amendment Request (LAR) that addresses replacing the analog based Reactor Protective System (RPS) and Engineered Safeguards Protective System (ESPS) with a digital computer based RPS/ESPS at Oconee Nuclear Station, Duke committed to provide the final factory acceptance testing (FAT) summary report at a date to be determined. Subsequently, during a Duke/NRC conference call on January 7, 2009, Duke agreed to provide this report by February 28, 2009.

Enclosure 1 provides the overall FAT Summary Report and references the 15 individual summary test reports that comprise the Oconee Unit 1 FAT. Enclosure 2 provides a summary of the results of each individual FAT performed. The completed test procedure for each individual FAT is available electronically but is not included with the individual summary reports. These documents are considered proprietary information by AREVA NP, and as such, affidavits for withholding are provided in Enclosure 3.

If there are any questions regarding this submittal, please contact Boyd Shingleton at (864) 885-4716.

Enclosures 1 and 2 to this letter contain proprietary information.
Withhold from public disclosure under 10 CFR 2.390.
Upon removal of Enclosures 1 and 2, this letter is uncontrolled.

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U. S. Nuclear Regulatory Commission
February 27, 2009
Page 2

I declare under penalty of perjury that the foregoing is true and correct. Executed on
February 27, 2009.

Sincerely,



Dave Baxter, Vice President
Oconee Nuclear Station

Enclosures:

1. Overall FAT Summary Report – Proprietary
2. Individual FAT Summary Reports - Proprietary
3. AREVA NP Affidavits

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U. S. Nuclear Regulatory Commission
February 27, 2009
Page 3

cc: w/o enclosures

Mr. J. F. Stang, Project Manager
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U. S. Nuclear Regulatory Commission
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L. A. Reyes, Regional Administrator
U. S. Nuclear Regulatory Commission - Region II
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61 Forsyth St., SW, Suite 23T85
Atlanta, Georgia 30303

Mr. G. A. Hutto
Senior Resident Inspector
Oconee Nuclear Station

S. E. Jenkins, Manager
Infectious and Radioactive Waste Management Section
2600 Bull Street
Columbia, SC 29201

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TSC 2007-09, Supplement 12
February 27, 2009

Enclosure 3

AREVA NP Affidavits

- AREVA NP Document 66-9098774-002, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade Nuclear Instrumentation (NI) FAT Summary Test Report
- AREVA NP Document 66-9097605-001, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade Cyber Security FAT Summary Test Report
- AREVA NP Document 66-9098849-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade RPS SW Functional FAT Summary Test Report
- AREVA NP Document 66-9100133-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade Graphic Service Monitor (GSM) FAT Summary Test Report
- AREVA NP Document 66-9100137-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade RPS/ESFAS HW Failure FAT Summary Test Report
- AREVA NP Document 66-9099526-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade TXS Gateway to OAC FAT Summary Test Report
- AREVA NP Document 66-9100136-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade ESFAS SW Functional FAT Summary Test Report
- AREVA NP Document 66-9100138-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade Supplemental ESFAS HW Failure FAT Summary Test Report
- AREVA NP Document 66-9099856-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade Start Up/Shut Down FAT Summary Test Report

- AREVA NP Document 66-9100134-001, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade Small Break LOCA FAT Summary Test Report
- AREVA NP Document 66-9100135-001, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade One Pump Coastdown FAT Summary Test Report
- AREVA NP Document 66-9100140-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade RPS Response Time FAT Summary Test Report
- AREVA NP Document 66-9100139-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade ESFAS Response Time FAT Summary Test Report
- AREVA NP Document 66-9103504-000, Oconee Nuclear Station, Unit 1
RPS/ESFAS Controls Upgrade Factory Acceptance Testing (FAT) Summary Report

Information contained in these Documents has been classified by AREVA NP as proprietary in accordance with the policies established by AREVA NP for the control and protection of proprietary and confidential information.

4. These Documents contain information of a proprietary and confidential nature and is of the type customarily held in confidence by AREVA NP and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in these Documents as proprietary and confidential.

5. These Documents have been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in these Documents be withheld from public disclosure. The request for withholding of

proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information".

6. The following criteria are customarily applied by AREVA NP to determine whether information should be classified as proprietary:

- (a) The information reveals details of AREVA NP's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA NP.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by AREVA NP, would be helpful to competitors to AREVA NP, and would likely cause substantial harm to the competitive position of AREVA NP.

The information in these Documents is considered proprietary for the reasons set forth in paragraphs 6(b), 6(c) and 6(d) above.

7. In accordance with AREVA NP's policies governing the protection and control of information, proprietary information contained in these Documents has been

made available, on a limited basis, to others outside AREVA NP only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. AREVA NP policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Marilyn Benzowski

SUBSCRIBED before me on this 25th
day of February, 2009.

S McFaden

Sherry L. McFaden
NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES: 10/31/2010
Registration # 7079129

