

EBASCO

R. C. IOTTI
Senior Vice President

January 25, 1993

50-286

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Mail Station P1-137
Washington D.C. 20555

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

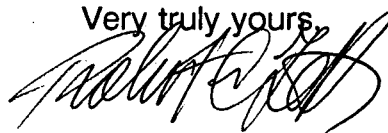
Subject: IP3-RPT-RPC-00357, "Instrument Drift Analysis for Indian Point 3 Reactor Protection System" (Proprietary)

Dear Sir:

The attached 3 page discussion on calibration extensions and the New York Power Authority Report No. IP3-RPT-RPC-00357 contains information proprietary to Ebasco Services Inc. This information is being used by the New York Power Authority to support technical specification changes for the Indian Point 3 Reactor Protection System. In accordance with the requirements of 10CFR2.790, of the Commission's regulations, enclosed is an affidavit requesting that this information be withheld from public disclosure. The affidavit sets forth the basis on which the information may be withheld from public disclosure by the Commission.

Correspondence with respect to this application for withholding or the accompanying affidavit should be addressed to the undersigned.

Very truly yours,



270032

EBASCO SERVICES INCORPORATED

TWO WORLD TRADE CENTER • NEW YORK, N.Y. 10048-0752 • (212) 839-1080

9301290244 930125
PDR ADOCK 05000286
P PDR

APol

Ebasco Services, Inc.

AFFIDAVIT

I, Dr Robert C Iotti, being duly sworn, depose and state as follows:

1. I am Senior Vice President, Ebasco Services, Inc., hereinafter known as Ebasco, and have been delegated the function of reviewing the information described in paragraph 2 which is sought to be withheld and have been authorized to apply for its withholding.
2. The information sought to be withheld is contained in New York Power Authority Report IP3-RPT-RPC-00357, "Instrument Drift Analysis for Indian Point 3 Reactor Protection System," dated November, 1992, prepared by Ebasco Services. The Ebasco Proprietary portions of this report are identifiable by the "Proprietary Information" designation at the top of the page.
3. I have personal knowledge of the criteria and procedures utilized by Ebasco Services, Inc. in designating information as a trade secret, privileged or as confidential commercial or financial information.
4. Pursuant to the provisions of paragraph (b) (4) of Section 2.790 of the Commission's regulations, the following is furnished for consideration by the Commission in determining 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 Ebasco.
 - (ii) The information is of a type customarily held in confidence by Ebasco and not customarily disclosed to the public.

Some examples of categories of information which fit into the definition of Proprietary Information are:

- a. Information that discloses a process, method or apparatus where prevention of its use by Ebasco's competitors without license from Ebasco constitutes a competitive economic advantage over other companies;

Ebasco Services, Inc.

AFFIDAVIT

- b. Information consisting of supporting data and analyses, including test data, relative to a process, method or apparatus, the application of which provide a competitive economic advantage, e.g., by optimization or improved marketability;
 - c. Information which if used 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 of a similar product;
 - d. Information which reveals cost or price information, production capacities, budget levels or commercial strategies of Ebasco, its customers or suppliers;
 - e. Information which reveals aspects of past, present or future Ebasco customer-funded development plans and programs of potential commercial value to Ebasco;
 - f. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection;
 - g. Information which Ebasco must treat as proprietary according to agreements with other parties.
5. The document mentioned in paragraph 2 above has been evaluated in accordance with the above criteria and procedures and has been found to contain information which is proprietary and which is customarily held in confidence by Ebasco.
 6. The information to the best of my knowledge and belief has consistently been held in confidence by Ebasco Services, Inc., has been transmitted to the Commission in confidence, is not available in public sources, and no public disclosure has been made.
 7. Public disclosure of the information sought to be withheld is likely to cause substantial harm to the competitive position of Ebasco Services, Inc. and deprive or reduce the availability of profit making opportunities. A substantial effort has been expended by Ebasco to develop this information.

Ebasco Services, Inc.

AFFIDAVIT

STATE OF NEW YORK

COUNTY OF New York }

SS:

Dr Robert C Iotti, being duly sworn, deposes and says:

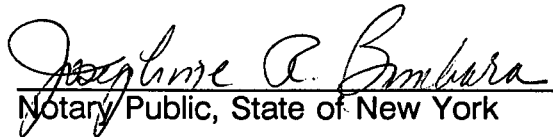
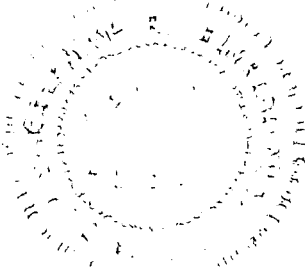
That he has read the foregoing affidavit and the matters stated therein are truly and correct to the best of his knowledge, information, and belief.

Executed at NEW YORK CITY, N.Y. this 25th day of JAN. 1993.



Dr Robert C Iotti
Ebasco Services, Inc.

Subscribed and sworn before me this 25th day of Jan. 1993.



Notary Public, State of New York

JOSEPHINE R. BAMBARA
Notary Public, State of New York
No. 5166015
Qualified in Suffolk County
Certificate Filed in New York County
Commission Expires December 31, 1994