NEXTera ENERGY
POINT BEACH

February 12, 2010

NRC 2010-0023
10 CFR 50.90

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Point Beach Nuclear Plant, Units 1 and 2
Dockets 50-266 and 50-301
Renewed License Nos. DPR-24 and DPR-27

License Amendment Request 261
Extended Power Uprate
Response to Request for Additional Information

References: (1) FPL Energy Point Beach, LLC letter to NRC, dated April 7, 2009, License Amendment Request 261, Extended Power Uprate (ML091250564)
(2) NRC electronic mail to NextEra Energy Point Beach, LLC, dated January 13, 2010, Request for Additional Information RE: Extended Power Uprate Small Break LOCA Model (ML100131227)

NextEra Energy Point Beach, LLC (NextEra) submitted License Amendment Request (LAR) 261 (Reference 1) to the NRC pursuant to 10 CFR 50.90. The proposed amendment would increase each unit's licensed thermal power level from 1540 megawatts thermal (MWt) to 1800 MWt, and revise the Technical Specifications to support operation at the increased thermal power level.

The NRC staff determined that additional information was required (Reference 2). Enclosure 1 contains information proprietary to Westinghouse Electric Company, LLC, and is supported by an affidavit signed by Westinghouse, the owner of the information. The affidavit sets forth the basis on which the information may be withheld from public disclosure by the Commission and addresses the considerations listed in Paragraph (b)(4) of Section 2.390 of the Commission's regulations.

Enclosure 2 contains the NextEra response to Questions 7 and 12 of Reference (2). Enclosure 3 provides piping isometric drawings: PBA-1140 Sheet 1, 2" Safety Injection (SI) Piping in Containment (Unit 1); PBA-2124 Sheet 1, 2" Safety Injection (SI) Piping in Containment (Unit 2); and PBA-2124 Sheet 2, 2" Safety Injection (SI) Piping in Containment (Unit 2), in response to Question 7 of Reference (2).

A001
NRR

Enclosure 4 contains the Westinghouse authorization letter, CAW-10-2750, Application for Withholding Proprietary Information from Public Disclosure, with accompanying affidavit, Proprietary Information Notice and Copyright Notice that is associated with Enclosure 1. It is requested that the information which is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR 2.390 of the Commission's regulations. Correspondence with respect to the copyright or proprietary aspects of the items listed above or the supporting Westinghouse affidavit should reference CAW-10-2750 and should be addressed to J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing, Westinghouse Electric Company LLC, P.O. Box 355, Pittsburgh, Pennsylvania 15230-0355.

This letter contains no new Regulatory Commitments and no revisions to existing Regulatory Commitments.

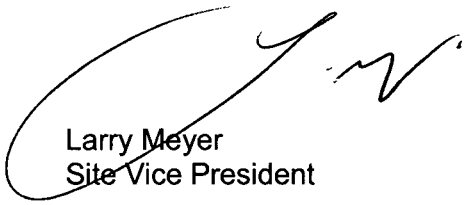
The information contained in this letter does not alter the no significant hazards consideration contained in Reference (1) and continues to satisfy the criteria of 10 CFR 51.22 for categorical exclusion from the requirements of an environmental assessment.

In accordance with 10 CFR 50.91, a copy of this letter is being provided to the designated Wisconsin Official.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on February 12, 2010.

Very truly yours,

NextEra Energy Point Beach, LLC



Larry Meyer
Site Vice President

Enclosures

cc: Administrator, Region III, USNRC
Project Manager, Point Beach Nuclear Plant, USNRC
Resident Inspector, Point Beach Nuclear Plant, USNRC
PSCW

**ENCLOSURE 2**

**NEXTERA ENERGY POINT BEACH, LLC**
**POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2**

**LICENSE AMENDMENT REQUEST 261**
**EXTENDED POWER UPRATE**
**RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION**

The NRC staff determined that additional information was required (Reference 1) to continue its review of License Amendment Request (LAR) 261, Extended Power Uprate (EPU) (Reference 2). The following information is provided by NextEra Energy Point Beach, LLC (NextEra) in response to the NRC staff's Questions 7 and 12 of Reference (1). The remaining Reference (1) questions are responded to in Enclosure 1 (proprietary).

***Question 7***

*Basic geometry information (P&ID) for the ECCS injection lines. The information needed is the length of the ECCS injection lines from the injection location on the primary loop piping up to the first isolation valve. The information either is not on the cited drawings or the print is too small to read.*

**NextEra Response**

See Enclosure 3 for the requested piping isometric drawings: PBA-1140 Sheet 1, 2" Safety Injection (SI) Piping in Containment (Unit 1); PBA-2124 Sheet 1, 2" Safety Injection (SI) Piping in Containment (Unit 2); and PBA-2124 Sheet 2, 2" Safety Injection (SI) Piping in Containment (Unit 2), which illustrate the piping configuration.

***Question 12***

*Control systems design report or equivalent information describing operation of the primary and secondary control systems: Steam generator water level instrumentation and control (single and three-element), steam generator pressure (including bypass and ADV), logic for operation of pressurizer heaters and sprays, pressurizer level (charging and letdown), pressurizer water level required to cover heaters (low level at which heaters are tripped off), power level of proportional and backup pressurizer heaters.*

**NextEra Response**

Steam Generator Water Level Instrumentation and Control (Single and Three-element)

The steam generator narrow range (SGNR) water level instrumentation performs protection, control, and indication functions. The primary function of the SGNR level instrumentation is to ensure that an adequate water level is maintained in the steam generators to provide a heat sink for reactor coolant. This instrumentation provides inputs to the reactor trip logic and auxiliary feedwater actuation during low water level conditions. Alternatively, during high water level conditions, the instrumentation provides input signals for feedwater isolation.

Steam generator (SG) level control at power levels of greater than approximately 15% is achieved by maintaining the feedwater flow rate with a compensated control system. The control system has three separate inputs, the first of which is the steam generator narrow range level signal. The control system compares the SG narrow range water level signal to a control setpoint and regulates the feedwater control valve accordingly. Steam flow and feedwater flow signals make up the remaining two control system inputs. This system also uses the steam flow/feedwater flow mismatch in order to improve system response. Figure 1 provides a schematic of the steam generator control logic.

Each SG is independently controlled and has individual main and bypass feedwater regulating valves and controllers as displayed for one loop in Figure 2. A single control reference level of 64%, independent of power level, is utilized. During normal plant operations the steam generator level control system maintains the water level in the steam generators within a predetermined control band by modulating regulating valves in the feedwater system. Two feedwater regulating valves are associated with each steam generator; a full-flow main valve for operation above approximately 15% power, and a smaller bypass valve (in parallel with the main valve) for startup and low power operation below approximately 15% power.

There is a 3-element controller for the main feedwater regulating valve that utilizes steam flow, feedwater flow and steam generator water level input parameters. The steam flow signal is derived from the differential pressure drop across a venturi located in the steam line. The steam flow differential pressure measurement is combined with a steam pressure measurement to adjust for steam density changes as steam pressure varies across the operating power range. Similarly, the feedwater flow signal is derived from the pressure drop across the venturi located in the feed line. Pressure compensation is not necessary for feedwater flow, because feedwater density change over the operating power range is negligible. The differential pressure between the narrow range taps in the upper portion of each steam generator is used to generate the steam generator water level signal.

The steam flow, feedwater flow and water level signals used to modulate the feedwater regulating valves are the same ones that are used in the reactor protection system (RPS) and engineering safety features actuation system (ESFAS). Signals proportional to the differential pressures measured by the field transmitters are fed directly to the RPS protection-grade process control racks, where they perform the necessary protective functions. These signals also pass through electrical isolators and are sent to control-grade process control racks where they perform the non-safety functions necessary for steam generator level control. The electrical isolators in the protection racks provide separation between safety and non-safety related signals, by preventing an electrical failure in the control racks from being fed back affecting the protective functions, as required by the protection system standard, IEEE 279.

The controller for each main feedwater regulating valve operates on a steam generator water level error (the difference between a predefined water level program and the actual measured water level) and a steam flow/feed flow mismatch error. The level error receives proportional + integral (PI) compensation before it is combined with the flow mismatch error to create a valve modulating signal. This modulating signal also receives PI compensation before being sent to the electro-pneumatic positioner on the valve.

Unlike the main regulating valve controller, the bypass valve uses a single element controller. At low power levels (typically below 20% power), the feedwater flow and steam flow signals are impractical for dynamic feedwater control. The bypass valve controller uses only the difference between the desired (pre-programmed) steam generator water level and the measured water level to create a modulating signal. The level error signal (which is the same as that used in the main valve controller) receives proportional + integral + derivative (PID) compensation before being sent to the valve positioner in the field.

Transfer of automatic control from the bypass valve controller to the main valve controller or vice versa is a manual operation.

In addition to its function of regulating feedwater flow to control steam generator water level during power operation, the main feedwater control valve also regulates steam generator water level after a reactor trip. Following a reactor trip, the steam generators act as the primary heat sink for the removal of residual and decay heat from the primary system. As such, it is necessary to maintain an adequate steam generator water inventory to maintain the desired temperature in the primary system. This may be accomplished is by operating the main feedwater regulating valves in a binary (open-shut) mode. In this control mode (unlike constantly modulated control in the power range) the main feedwater regulating valve position is controlled by operating solenoids in the air lines that feed the actuator on each valve. The solenoids are energized when the reactor coolant system (RCS) average temperature reaches a high temperature setpoint. This supplies air to the valve actuator and the valve opens. When the average temperature reaches the low temperature setpoint, the solenoids deenergize and air bleeds off the actuator to close the valve. The main and bypass feedwater regulating valves trip shut to isolate the feedwater system and stop the flow of feedwater to the steam generators upon receipt of a safety injection signal.

Steam Generator Pressure (Including Bypass and Atmospheric Dump Valves)

Two SGs transfer energy from the RCS to the main steam system. One main steam line is connected to each of the generators and there are three steam line pressure instrumentation channels for each main steam line. The main steam line pressure channels 1(2)P-468, 1(2)P-469, 1(2)P-482, 1(2)P-478, 1(2)P-479, and 1(2)P-483 perform protection, control, alarm, and indication functions.

Steam line pressure refers to the pressure in the steam flow piping downstream from the steam generator while steam generator pressure refers to the pressure inside the steam generator. The transmitters measure steam line pressure, as they are tapped on the steam flow piping. Therefore, steam line pressure is used to describe the measurement. However, since there are no transmitters at the steam generator, the steam line pressure transmitters are also used to provide a measurement of steam generator pressure when needed.

Steam Generator Pressure Control

The two methods available for steam generator pressure control are by use of the atmospheric steam dump control system and the condenser steam dump control system. They are briefly described below.

Atmospheric Steam Dump Control System

The atmospheric steam dump control system provides a means for the removal of heat from the RCS during periods when the main heat sinks are not available. Such periods exists when the turbine generator or condenser are not available, during plant startup or shutdown, during physics testing, following a turbine trip on loss of vacuum, or during a loss of electrical power to stations auxiliaries. The atmospheric steam dump control system controls the atmospheric steam dump valves (MS-2015 and MS-2016) to discharge steam to the atmosphere, and provide a means of steam generator pressure control; avoiding unnecessary lifting of the main steam safety valves.

Figure 3 is a simplified diagram of the elements associated with the atmospheric steam dump control system. Figure 4 is a simplified logic diagram of the atmospheric steam dump control system. As shown, the atmospheric steam dump valves can be controlled in automatic or manual.

The inputs to the atmospheric steam dump control system are two steam line pressure transmitters. The transmitter signals are the same signals used by the ESFAS. These signals are processed in the ESFAS protection-grade process instrument racks, and are then transmitted through electrical isolators to the control-grade instrument racks where the control system logic processing is performed, as shown in Figure 4. The electrical isolators allow the pressure signals to be passed from the protection-grade racks to the control-grade racks, but prevent faults that are generated in the control-grade racks from propagating back to the protection-grade racks and affecting the protection system.

Condenser Steam Dump Control System

The condenser steam dump control system is used to remove excess steam generated by the RCS by directing the steam to the condensers allowing the nuclear plant to accept sudden load reductions from load rejection transients and plant trips, and provides a means of controlling RCS temperature during plant startups and shutdowns.

Figure 5 is a simplified diagram of the elements associated with the condenser steam dump control system including hardware and process flow components. Figure 6 is a block diagram of the condenser steam dump control system. The condenser steam dump valves (MS-2050 through MS-2057) can be controlled in automatic or manual. The automatic control mode, also referred to as Tavg control, has two modes of control; (1) load rejection control, and (2) turbine trip control. The manual control normally refers to the control mode based on steam header pressure control.

Logic for Operation of Pressurizer Heaters and Sprays

The pressurizer maintains the required RCS pressure during steady-state operation, limits the pressure changes caused by coolant thermal expansion and contraction during normal load transients, and prevents the pressure in the RCS from exceeding the design pressure. Pressurizer pressure, water level and temperature are monitored by appropriate instrumentation.

The pressurizer pressure control system maintains pressurizer pressure within a prescribed band during normal (steady-state) power operation. Pressure is maintained within a predetermined control band by employing electric-powered proportional heaters and backup heaters, pressurizer spray flow, and power-operated relief valves (PORVs). The heaters are electrical immersion units located near the bottom of the pressurizer. They directly increase the pressurizer water temperature and pressure by flashing water to steam in a saturated steam environment. Spray flow is introduced at the top of the pressurizer into the steam space to condense steam and reduce pressure. At higher pressure, two PORVs reduce pressure by relieving steam out of the pressurizer.

A schematic of the pressurizer control elements is given in Figure 7, and includes the heaters, sprays and representations of other control elements. Figure 8 displays the pressure regions over which the pressurizer sprays and heaters operate to maintain the operating pressure close to the normal operating pressure of 2235 psig.

The design capacity of pressurizer heaters is 1000 kW, 123 kW of which is available from the proportional heaters. The heaters are de-energized at the level of 12% to ensure that the heaters always remain immersed, (further information on the control of the pressurizer level is given below).

The pressurizer pressure control system (in conjunction with the operation of the other nuclear steam supply system control systems - rod control, steam generator level control, steam dump controls, etc.) holds pressurizer pressure within prescribed limits to prevent a reactor trip during normal operational transients including the following:

- 10% step load increase
- 5%/minute ramp load increase
- 10% step load decrease
- 5%/minute ramp load decrease
- 50% load rejection

The pressurizer pressure control system provides indications and alarms to alert the control room operator to normal and abnormal pressure conditions. A failure in the control system, in conjunction with any additional single failure, will not prevent the protection system from performing its design function. Manual control is provided to allow operator to override the automatic control system. The control logic is shown in Figure 9.

Pressurizer Level (Charging and Letdown), Pressurizer Water Level Required to Cover Heaters (Low Level at which Heaters are Tripped), Power Level of Proportional and Backup Pressurizer Heaters

A programmed pressurizer water level, as a function of reactor coolant average temperature, is used to minimize the water inventory adjustments associated with charging and letdown and minimize the requirements on the chemical and volume control and waste disposal system resulting from coolant density changes during loading and unloading from full power to zero power. A simplified diagram of the logic for a pressurizer level loop is given in Figure 10. Further details are provided in Figure 11.

Under most plant operating conditions, three channels of pressurizer water level instrumentation perform protection, control, alarm, and indication functions. These channels receive input signals from pressurizer water level transmitters 1(2)LT-426, 1(2)LT-427, and 1(2)LT-428. A separate pressurizer water level channel that receives input from 1(2)LT-433 is used to monitor pressurizer water level when the RCS is in the cold condition and to re-zero the other three channels during hot operating conditions.

Charging pump (P-2A, P-2B or P-2C) speed is controlled from a compensated level error signal, which is the output of a level program controller with PID action. The low-low level pressurizer heater interlock, which de-energizes all the heaters (backup heaters T-1A, T-1B, T-1C, and T-1D, and proportional heater T-1E), in addition to closing the reactor coolant letdown isolation valve (RC-427) on decreasing level, is controlled directly from a measured level signal.

**References**


(1) NRC electronic mail to NextEra Energy Point Beach, LLC, dated January 13, 2010, Request for Additional Information RE: Extended Power Uprate Small Break LOCA Model (ML100131227)

(2) FPL Energy Point Beach, LLC letter to NRC, dated April 7, 2009, License Amendment Request 261, Extended Power Uprate (ML091250564)


**List of Figures for Response to Question 12**

| Figure No. | Title |
|---|---|
| 1 | Steam Generator Control Logic |
| 2 | Steam Generator Level System Control Elements |
| 3 | Atmospheric Steam Dump Control Elements |
| 4 | Atmospheric Steam Dump Control Logic |
| 5 | Condenser Steam Dump Control Elements |
| 6 | Condenser Steam Dump Control Logic |
| 7 | Pressurizer Pressure Control Elements |
| 8 | Pressurizer Pressure Control Band Around 2235 psig |
| 9 | Pressurizer Pressure Control Logic |
| 10 | Pressurizer Level Control Logic |
| 11 | Pressurizer Level Control Block Diagram |

Figure 1: Steam Generator Control Logic

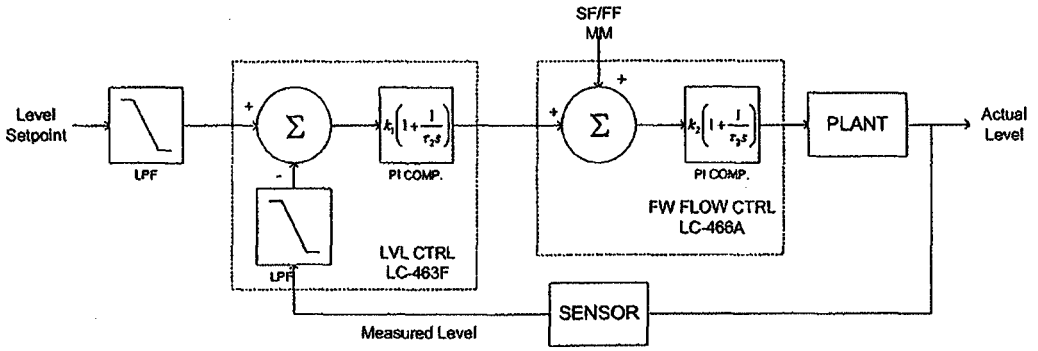


Figure 2: Steam Generator Level System Control Elements

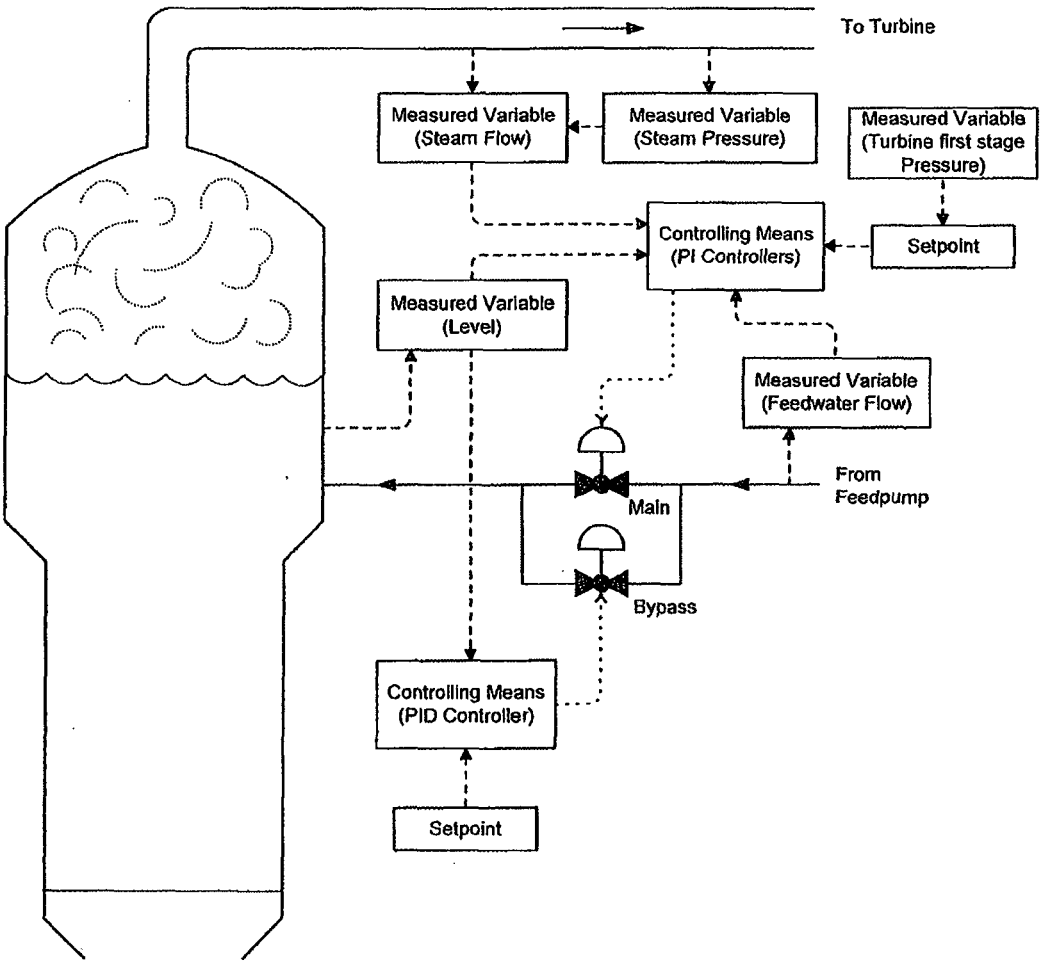


Figure 3: Atmospheric Steam Dump Control Elements

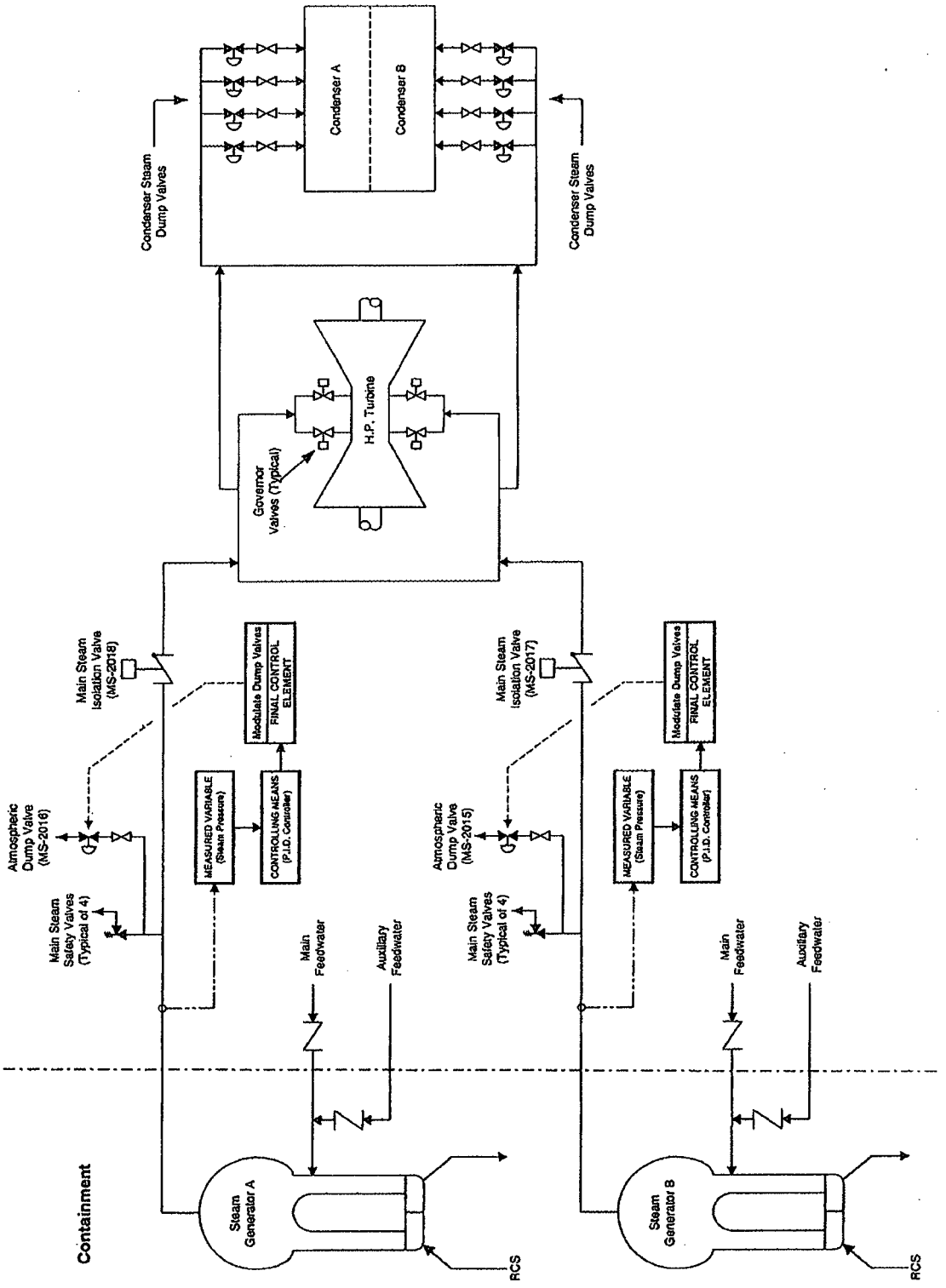


Figure 4: Atmospheric Steam Dump Control Logic

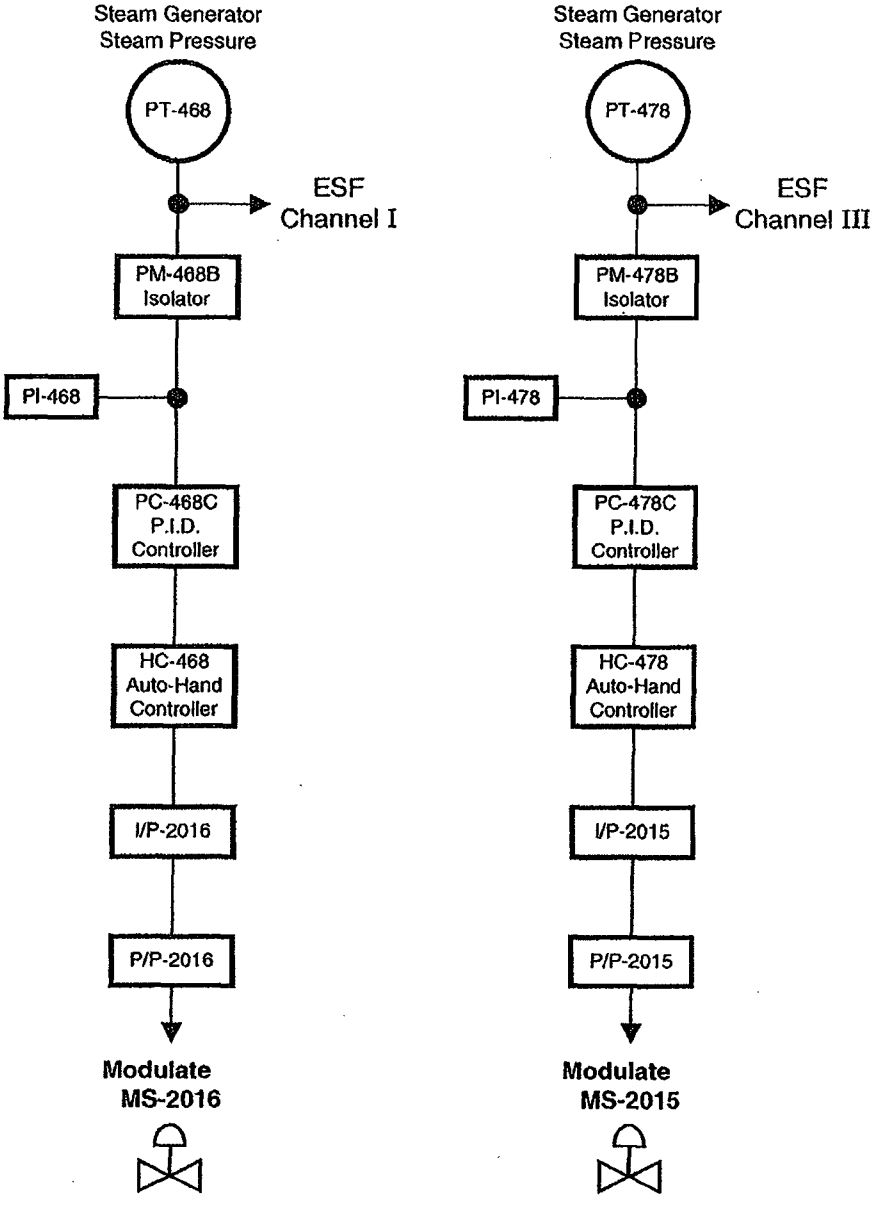


Figure 5: Condenser Steam Dump Control Elements

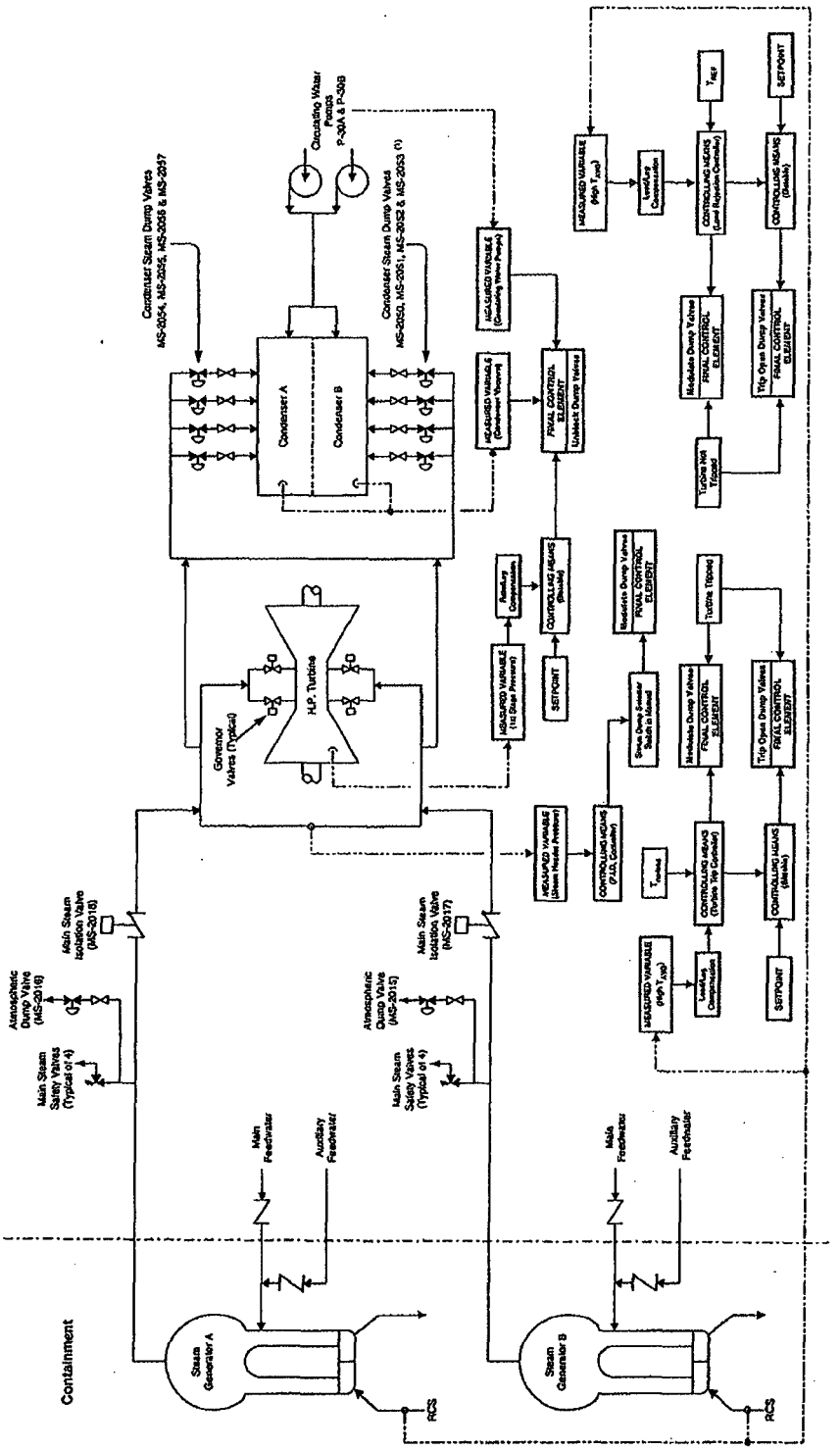


Figure 6: Condenser Steam Dump Control Logic

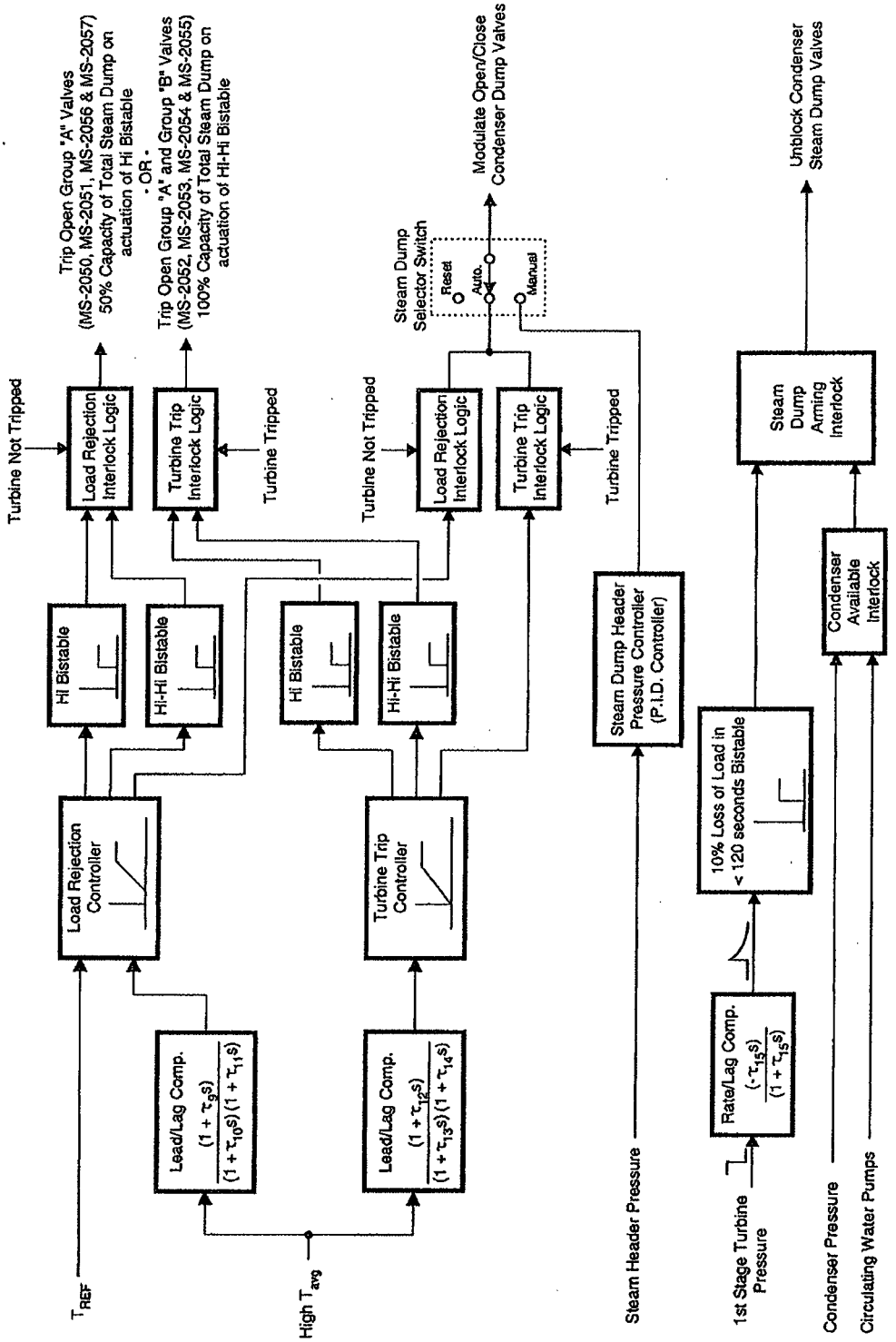


Figure 7: Pressurizer Pressure Control Elements

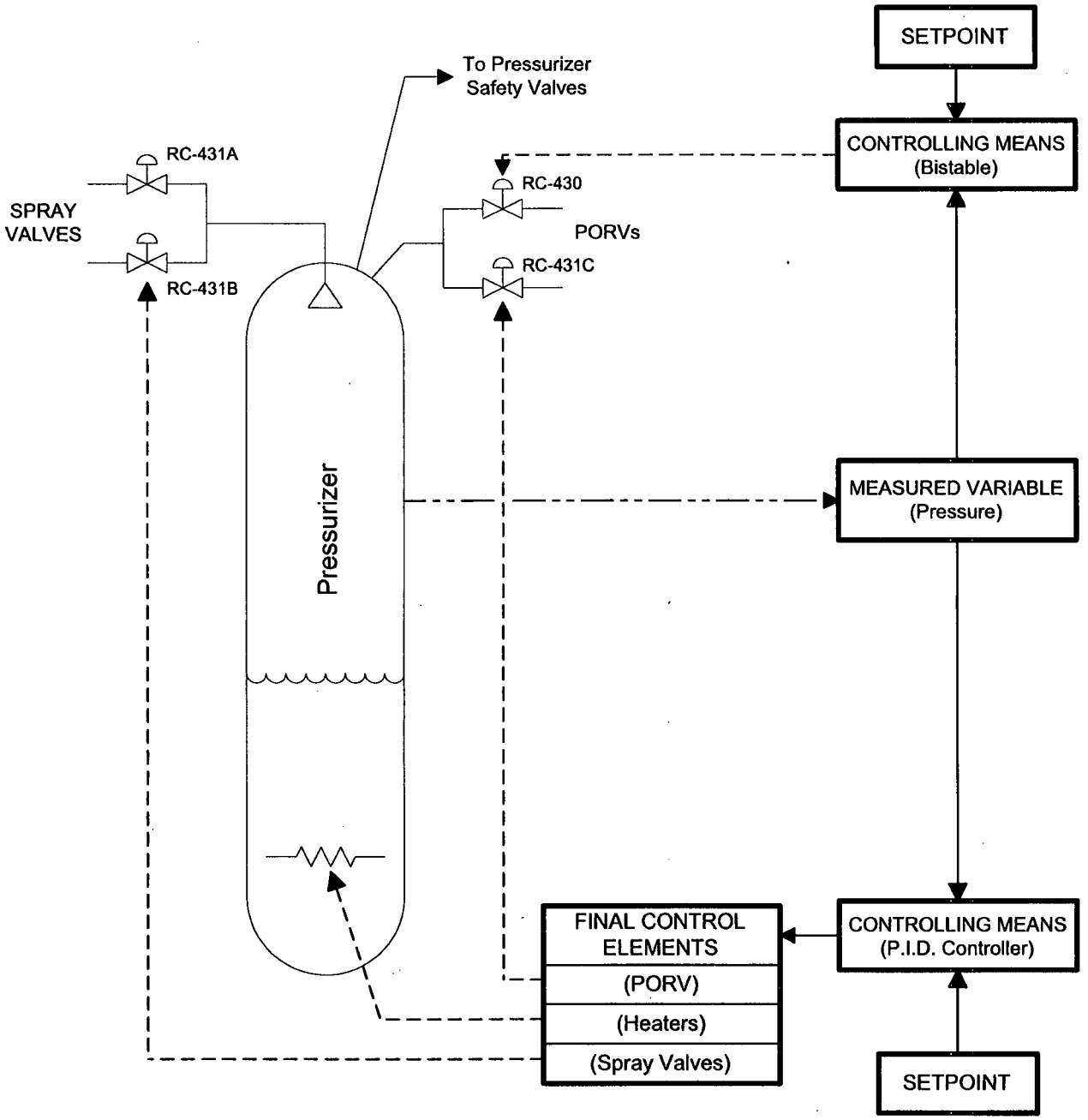


Figure 8: Pressurizer Pressure Control Band Around 2235 psig

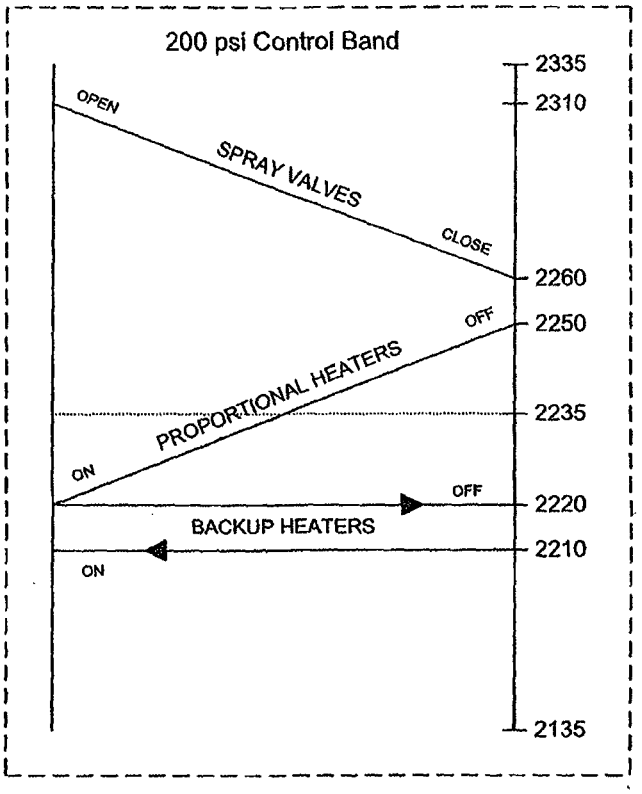


Figure 9: Pressurizer Pressure Control Logic

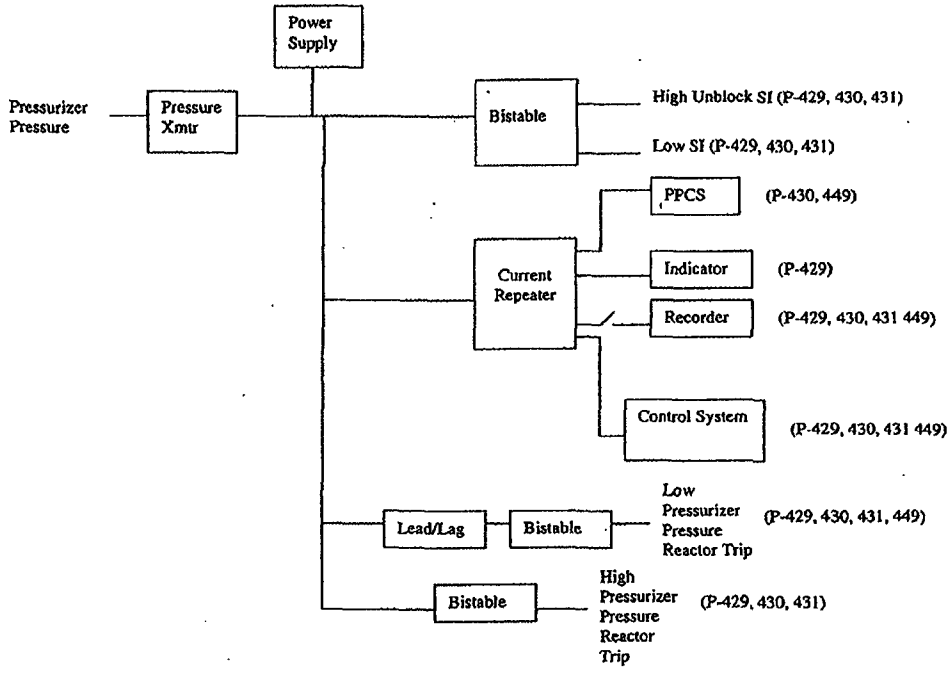


Figure 10: Pressurizer Level Control Logic

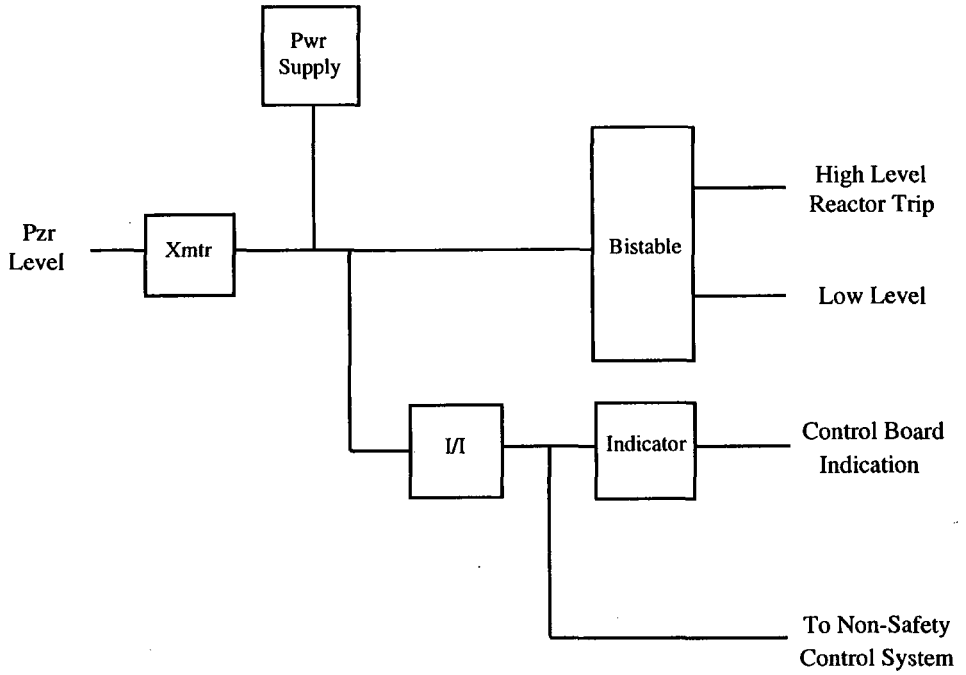
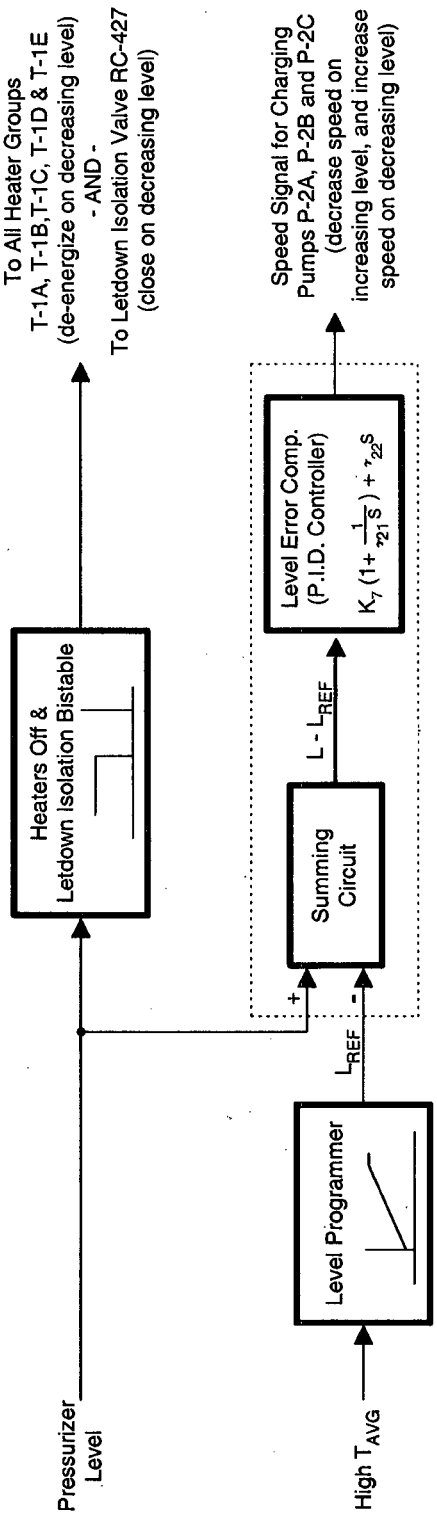


Figure 11: Pressurizer Level Control Block Diagram



**ENCLOSURE 3**

**NEXTERA ENERGY POINT BEACH, LLC**
**POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2**

**LICENSE AMENDMENT REQUEST 261**
**EXTENDED POWER UPRATE**
**RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION**

**PIPING ISOMETRIC DRAWINGS**
**PBA-1140, SHEET 1**
**PBA-2124, SHEET 1**
**PBA-2124, SHEET 2**

3 pages follow

# THIS PAGE IS AN OVERSIZED DRAWING OR FIGURE,

## THAT CAN BE VIEWED AT THE RECORD TITLED:

## MSIL 18304201
## "PIPING ISOMETRIC
## 2" SAFETY INJECTION (SI) PIPING
## IN CONTAINMENT PBA-1140 SH.1
## POINT BEACH N.P. UNIT 1"

## WITHIN THIS PACKAGE... OR
## BY SEARCHING USING THE

## D-01

# THIS PAGE IS AN OVERSIZED DRAWING OR FIGURE,

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## MSIL18305401
## "PIPING ISOMETRIC
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## IN CONTAINMENT PBA-2124 SH. 1
## POINT BEACH N.P. UNIT 2"

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## 2" SAFETY INJECTION (SI) PIPING
## INCONTAINMENT PBA-2124 SH. 2
## POINT BEACH N.P. UNIT 2"

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**ENCLOSURE 4**

**NEXTERA ENERGY POINT BEACH, LLC**
**POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2**

**LICENSE AMENDMENT REQUEST 261**
**EXTENDED POWER UPRATE**
**RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION**

**CAW-10-2750**
**WESTINGHOUSE AUTHORIZATION LETTER AND ACCOMPANYING AFFIDAVIT**
**PROPRIETARY INFORMATION NOTICE AND COPYRIGHT NOTICE**

8 pages follow

Westinghouse Electric Company
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Direct tel: (412) 374-4643
Direct fax: (412) 374-3846
e-mail: greshaja@westinghouse.com
Proj letter: WEP-10-22 Rev. 1 Attachment 1

CAW-10-2750

February 11, 2010

APPLICATION FOR WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE

Subject: "Response to U.S. NRC Request for Additional Data for the PBNP Plant Model for the Point Beach EPU Program," dated February 11, 2010

The proprietary information for which withholding is being requested in the above-referenced report is further identified in Affidavit CAW-10-2750 signed by the owner of the proprietary information, Westinghouse Electric Company LLC. The affidavit, which accompanies this letter, sets forth the basis on which the information may be withheld from public disclosure by the Commission and addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR Section 2.390 of the Commission's regulations.

Accordingly, this letter authorizes the utilization of the accompanying affidavit by NextEra Energy Point Beach, LLC.

Correspondence with respect to the proprietary aspects of the application for withholding or the Westinghouse affidavit should reference this letter, CAW-10-2750, and should be addressed to J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing, Westinghouse Electric Company LLC, P.O. Box 355, Pittsburgh, Pennsylvania 15230-0355.

Very truly yours,

J. A. Gresham, Manager
Regulatory Compliance and Plant Licensing

Enclosures

bcc: J. A. Gresham (ECE 4-7A) 1L
R. Bastien, 1L (Nivelles, Belgium)
C. Brinkman, 1L (Westinghouse Electric Co., 12300 Twinbrook Parkway, Suite 330, Rockville, MD 20852)
RCPL Administrative Aide (ECE 4-7A) 1L, 1A (letter and affidavit only)
R. Morrison (ECE 4-16A) 1L, 1A
L. Walker (ECE 320H) 1L, 1A

CAW-10-2750

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

ss

COUNTY OF ALLEGHENY:

Before me, the undersigned authority, personally appeared J. A. Gresham, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse), and that the averments of fact set forth in this Affidavit are true and correct to the best of his knowledge, information, and belief:

J. A. Gresham, Manager
Regulatory Compliance & Plant Licensing

Sworn to and subscribed before me
this 11th day of February 2010

Renee' Giampole
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Renee Giampole, Notary Public
Penn Township, Westmoreland County
My Commission Expires September 25, 2013

(1) I am Manager, Regulatory Compliance & Plant Licensing, in Nuclear Services, Westinghouse Electric Company LLC (Westinghouse), and as such, I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear power plant licensing and rule making proceedings, and am authorized to apply for its withholding on behalf of Westinghouse.

(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 Westinghouse Application for Withholding Proprietary Information from Public Disclosure accompanying this Affidavit.

(3) I have personal knowledge of the criteria and procedures utilized by Westinghouse 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 2.390 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 Westinghouse.

(ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitutes Westinghouse policy and provides the rational basis required.

Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

(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.

(b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.

(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.

(d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.

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

(f) It contains patentable ideas, for which patent protection may be desirable.

There are sound policy reasons behind the Westinghouse system which include the following:

(a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.

(b) It is information that is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.

(c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.

(d) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component

may be the key to the entire puzzle, thereby depriving Westinghouse of a competitive advantage.

(e) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the world market, and thereby give a market advantage to the competition of those countries.

(f) The Westinghouse capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.

(iii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.390, it is to be received in confidence by the Commission.

(iv) The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of our knowledge and belief.

(v) The proprietary information sought to be withheld in this submittal is that which is appropriately marked as "Response to U.S. NRC Request for Additional Data for the PBNP Plant Model for the Point Beach EPU Program," dated February 11, 2010, and being transmitted by NextEra Energy Point Beach, LLC letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted for use by Westinghouse for Point Beach Units 1 and 2 is expected to be applicable for other licensee submittals in response to certain NRC requirements for performing accident analyses.

This information is part of that which will enable Westinghouse to:

(a) Provide input to the Nuclear Regulatory Commission for review of the Point Beach Plant Model.

(b) Provide customer specific calculations.

(c) Provide licensing support for customer submittals.

Further this information has substantial commercial value as follows:

(a) Westinghouse plans to sell the use of similar information to its customers for purposes of meeting NRC requirements for licensing documentation associated with performing accident analyses.

(b) Westinghouse can sell support and defense of the technology to its customer in the licensing process.

(c) The information requested to be withheld reveals the distinguishing aspects of a methodology which was developed by Westinghouse.

Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar information and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

The development of the technology described in part by the information is the result of applying the results of many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money.

In order for competitors of Westinghouse to duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended.

Further the deponent sayeth not.

## PROPRIETARY INFORMATION NOTICE

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In order to conform to the requirements of 10 CFR 2.390 of the Commission's regulations concerning the protection of proprietary information so submitted to the NRC, the information which is proprietary in the proprietary versions is contained within brackets, and where the proprietary information has been deleted in the non-proprietary versions, only the brackets remain (the information that was contained within the brackets in the proprietary versions having been deleted). The justification for claiming the information so designated as proprietary is indicated in both versions by means of lower case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (4)(ii)(a) through (4)(ii)(f) of the affidavit accompanying this transmittal pursuant to 10 CFR 2.390(b)(1).

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