

September 10, 2013

Mr. Christopher M. Fallon, Vice President
Nuclear Development
Duke Energy
EC12L/526 South Church Street
Charlotte, NC 28202

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
IN RESPONSE TO TRANSMITTAL OF LEVY NUCLEAR PLANT, UNITS 1 AND 2,
COMBINED LICENSE APPLICATION, REVISION 6 (PART 9 – WITHHELD
INFORMATION”

Dear Mr. Fallon:

By letter dated July 25, 2013, Duke Energy Florida, Inc. (DEF) submitted an affidavit dated July 25, 2013, executed by Christopher M. Fallon, which requested 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:

Levy Nuclear Plant, Units 1 and 2, Combined License Application, Revision 6,
Part 9 – Withheld Information (Revision 5 included) (Proprietary)

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

- (a) The information sought to be withheld from public disclosure is owned by DEF and has been held in confidence by DEF;
- (b) The information sought to be protected is not available to the public to the best of your knowledge and belief; and
- (c) The information is of the type that would customarily be held in confidence by DEF. Public disclosure of this information is likely to cause harm to DEF because it would allow contractors, vendors, and competitors to understand DEF's competitive position and schedule prior to securing the related contracts and services and/or prior to pricing competitive services..

We have reviewed your application and the material in accordance with the 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 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.

C. Fallon

- 2 -

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 301-415-1035.

Sincerely,

/RA/

Donald Habib, Project Manager
Licensing Branch 4
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-029
52-030

cc: See next page

C. Fallon

- 2 -

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(Revised 07/25/2013)

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COL - Progress Energy - Levy County Mailing List

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