



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

February 27, 2014

Mr. Randall K. Edington
Executive Vice President Nuclear/
Chief Nuclear Officer
Mail Station 7602
Arizona Public Service Company
P.O. Box 52034
Phoenix, AZ 85072-2034

SUBJECT: PALO VERDE NUCLEAR GENERATING STATION, UNITS 1, 2, AND 3 -
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NOS. MF3143, MF3144, AND MF3145)

Dear Mr. Edington:

By letter dated January 16, 2014 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML14027A701), Arizona Public Service Company (APS, the licensee), submitted an affidavit to the U.S. Nuclear Regulatory Commission (NRC) dated January 10, 2014, and executed by James A. Gresham, Westinghouse Electric Company. The affidavit requested that the information contained in the following corresponding document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

WCAP-16011-P-A, Revision 0, "Startup Test Activity Reduction Program,"
February 2005.

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the NRC Library in ADAMS at Accession No. ML050660118.

The affidavit 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 expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.

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 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.

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) 415-1530 or by e-mail at Jennivine.Rankin@nrc.gov.

Sincerely,


Jennie K. Rankin, Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-528, 50-529, and 50-530

cc: Mr. James A. Gresham
Manager, Regulatory Compliance
Westinghouse Electric Company
Suite 310
1000 Westinghouse Drive
Cranberry Township, PA 16066

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/RA/

Jennie K. Rankin, Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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Manager, Regulatory Compliance
Westinghouse Electric Company
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***via e-mail**

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