

November 13, 2015

Lawrence G. McDade, Chairman
Dr. Michael F. Kennedy
Dr. Richard E. Wardwell
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Docket: *Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3)*
 Docket Nos. 50-247-LR and 50-286-LR

Re: **Westinghouse Non-Disclosure Agreement**

Dear Administrative Judges:

On November 12, 2015, New York State filed a Supplemental Brief in this proceeding related to disclosure of Westinghouse proprietary documents. The State makes one new argument (Supplemental Brief at 7) that raises a factual issue that we believe should be addressed in the interest of an efficient hearing process next week.

The State suggests that Westinghouse's competitors will have access to Westinghouse proprietary information in the hearing process. In his declarations in this proceeding Mark Gray identified Structural Integrity Associates (SIA) as a competitor of Westinghouse in the market for engineering services. Westinghouse has addressed the issue of proprietary information by a separate Non-Disclosure Agreement between Westinghouse and SIA covering information obtained through this proceeding. Accordingly, SIA's participation is not a basis to withdraw proprietary designations on documents or to discuss confidential commercial information in open hearing sessions.

Westinghouse understands that other experts have not signed Non-Disclosure Agreements under the Protective Order, but nonetheless expects that those individuals treat proprietary information

confidentially in accordance with Westinghouse's contractual arrangements with Entergy, who has retained the experts.

Respectfully submitted,

/s/ signed electronically by

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cc: Service List via EIE