



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

March 7, 2016

Mr. Edward D. Halpin
Senior Vice President and Chief Nuclear Officer
Pacific Gas and Electric Company
Diablo Canyon Power Plant
P.O. Box 56, Mail Code 104/6
Avila Beach, CA 93424

SUBJECT: DIABLO CANYON POWER PLANT, UNIT NOS. 1 AND 2 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(CAC NOS. ME7522 AND ME7523)

Dear Mr. Halpin:

By letter dated February 11, 2016 (Agencywide Documents Access and Management System (ADAMS) package Accession No. ML16061A481), Pacific Gas and Electric Company (the licensee) submitted an affidavit dated February 15, 2016 (993754-AFF-173T3), to the U.S. Nuclear Regulatory Commission (NRC), executed by Mr. Brian M. Haynes, Senior Director, Global Nuclear Delivery, Invensys/Schneider Electric (Invensys), requesting that the information contained in the following Tricon Phase 2 – Proprietary documents (Attachment 3 of the letter dated February 11, 2016) be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- 993754-11-818-P, Revision 0, "System Time Response Confirmation Report PPS I.
- 993754-12-818-P, Revision 0, "System Time Response Confirmation Report PPS II.
- 993754-13-818-P, Revision 0, "System Time Response Confirmation Report PPS III.
- 993754-14-818-P, Revision 0, "System Time Response Confirmation Report PPS IV.
- 993754-11-854-0-P, Revision 1, "HVT Report PPS I."
- 993754-12-854-0-P, Revision 0, "HVT Report PPS II."
- 993754-13-854-0-P, Revision 0, "HVT Report PPS III."
- 993754-14-854-0-P, Revision 0, "HVT Report PPS IV."
- 993754-11-854-1-P, Revision 3, "Factory Acceptance Report PPS I."
- 993754-12-854-1-P, Revision 0, "Factory Acceptance Report PPS II."
- 993754-13-854-1-P, Revision 0, "Factory Acceptance Report PPS III."
- 993754-14-854-1-P, Revision 0, "Factory Acceptance Report PPS IV."

- 993754-11-861-P, Revision 3, "V&V Design Phase Summary Report PPS I."
- 993754-12-861-P, Revision 0, "V&V Design Phase Summary Report PPS II-IV."
- 993754-11-862-P, Revision 1, "V&V Implementation Phase Summary Report PPS I."
- 993754-12-862-P, Revision 1, "V&V Implementation Phase Summary Report PPS II-IV."
- 993754-1-915-P, Revision 9, "Safety Analysis."

A nonproprietary copy of the document entitled "Tricon Phase 2 Documents – Non-Proprietary," contained in Attachment 2 of your letter dated February 11, 2016, has been placed in the NRC's Public Document Room and added to the NRC Library in the ADAMS at package Accession No. ML16061A481.

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

- (a) Information which discloses process, method, or apparatus, including supporting data and analyses, where prevention of its use by Invensys's competitors without license or contract from Invensys constitutes a competitive economic advantage over other companies in the industry.
- (b) Information, which if used by competitors, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, application, installation, assurance of quality, or licensing of a similar product.
- (c) Information which reveals cost or price information, production capacities, budget levels, or commercial strategies of Invensys, its customers, its partners, or its suppliers.
- (d) Information which reveals aspects of past, present, or future Invensys customer-funded development plans or programs, of potential commercial value to Invensys.
- (e) Information which discloses patentable subject matter for which it may be desirable to obtain patent production.
- (f) Information obtained through Invensys actions which could reveal additional insights into nuclear equipment qualification processes, customer applications, and regulatory proceedings, and which are not otherwise readily obtainable by a competitor.

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.

E. Halpin

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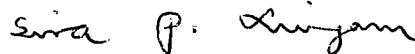
Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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 301-415-1564.

Sincerely,



Siva P. Lingam, Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

cc: Mr. Brian Haynes
Senior Director, Global Nuclear Delivery
Invensys/Schneider Electric
26561 Rancho Parkway South
Lake Forest, CA 92630

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/RA/

Siva P. Lingam, Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
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Docket Nos. 50-275 and 50-323

cc: Mr. Brian Haynes
Senior Director, Global Nuclear Delivery
Invensys/Schneider Electric
26561 Rancho Parkway South
Lake Forest, CA 92630

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