



September 30, 1997

United States Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, D.C. 20555

Subject: ComEd Audit Report for Special Audit of GE Nuclear Energy, San Jose,  
California, dated September 18, 1997

Attached is the subject audit report which was requested by the NRC personnel copied below. ComEd proposes, pursuant to 10 CFR 2.790, that this document in its entirety be withheld from public disclosure on the grounds that it contains confidential commercial information. Accompanying this request is the required affidavit. The subject document is provided in confidence to the NRC, contingent upon a determination to withhold the document from public disclosure. Should the NRC be unable to make such a determination, please contact us to arrange for return of the document to ComEd.

If you have any questions, please contact this Office.

Sincerely,

Lon H. Waldinger  
Nuclear Oversight Manager

Enclosures

cc: S. N. Bailey, Project Manager - NRR

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AFFIDAVIT PURSUANT  
TO 10 CFR 2.790

I, Lon H. Waldinger, depose and say that I am the Nuclear Oversight Manager, Commonwealth Edison Company ("ComEd"), I am authorized to make this affidavit, and because vendor audits is an activity for which I am responsible I have reviewed the information for which withholding under 10 CFR 2.790(a)(4) is sought and referenced in the paragraph immediately below. I am submitting this affidavit in conformance with the provisions of 10 CFR 2.790(b) and in conjunction with the application of ComEd to the Nuclear Regulatory Commission (NRC) requesting that this information be withheld from public disclosure.

The information is contained in the following document which accompanies the application and this affidavit:

**ComEd Audit Report for Special Audit of GE Nuclear Energy,  
San Jose, California dated September 18, 1997**

This document should be withheld in its entirety from disclosure to the public because it comprises confidential commercial information.

I have personal knowledge of the criteria and procedures utilized by the NRC in designating information as confidential commercial information.

Pursuant to the provisions of 10CFR 2.790 (b) (4), the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld.

1. The information sought to be withheld from public disclosure is owned and has been held in confidence by ComEd.
2. The information in this document pertains to ComEd's commercial activities with a vendor with which it has had a long-standing relationship of significant importance to ComEd. The information is of a type customarily held in confidence by ComEd and not customarily disclosed to the public. This is an internal report which evaluates the performance of services provided by this vendor under contract with ComEd. The report documented an intrusive and critical review of services provided by this vendor. Disclosure to the public could have a detrimental effect on ComEd's commercial relationship with this vendor and may violate governing trade secrets and commercial or financial information that is privileged or confidential.

3. The information is being transmitted to the NRC in confidence under the provisions of 10 CFR 2.790 with the understanding that it is to be received in confidence by the NRC and returned to ComEd or destroyed if the application for withholding is denied.
4. The information is valuable to ComEd, could not be easily duplicated by others and to the best of my knowledge and belief, is not available in public sources. Any disclosure to third parties, if necessary, would be made pursuant to regulatory provisions or agreements which provide for maintenance of the information in confidence.
5. Public disclosure of the information would cause substantial harm to ComEd because it could potentially interfere with a long-standing and necessary commercial relationship between ComEd and one of its vendors. Furthermore, this document contains information that was supplied to ComEd by the vendor with the understanding that it would generally be kept in confidence within ComEd.

  
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Nuclear Oversight Manager

Sworn to before me this 19<sup>th</sup> Day of September, 1997.

Betty Fox  
\_\_\_\_\_  
Notary Public  
My commission expires: 8/28/00

