



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 19, 1996

Withheld
9/11/96

Mr. Gary R. Hedrick
Vice President Finance and Treasurer
El Paso Electric Company
P. O. Box 982
El Paso, Texas 79960

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Hedrick:

By letter dated July 17, 1996, Arizona Public Service Company submitted, for itself and on behalf of the Palo Verde Nuclear Generating Station participants, the projected 1996 cash flow statements, and requested that the projected cash flow statement for the El Paso Electric Company be withheld from public disclosure pursuant to 10 CFR 2.790.

Your affidavit dated June 21, 1995, states that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- "4. This information can not be constructed from any other source.
- 5. Disclosure of this information may cause substantial harm to the Company's competitive position and would give parties who have access to this information inside knowledge of projected operations that is not available to the general public."

We have reviewed your submittal and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of El Paso Electric Company's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information.

Therefore, we have determined that the document entitled "Pro Forma Cashflow Statement for 1996," marked as confidential will be withheld from public disclosure pursuant to 10 CFR 2.790(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.

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Mr. Gary R. Hedrick

- 2 -

August 19, 1996

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 should also 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 needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

Original Signed By

James W. Clifford, Senior Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

cc: See next page

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Docket (50-528, 50-529, 50-530)

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Mr. Gary R. Hedrick

- 3 -

August 19, 1996

cc:

Mr. Steve Olea
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Mr. William L. Stewart
Executive Vice President, Nuclear
Arizona Public Service Company
Post Office Box 53999
Phoenix, Arizona 85072-3999

Douglas Kent Porter
Senior Counsel
Southern California Edison Company
Law Department, Generation Resources
P.O. Box 800
Rosemead, California 91770

Senior Resident Inspector
USNRC
P. O. Box 40
Buckeye, Arizona 85326

Regional Administrator, Region IV
U. S. Nuclear Regulatory Commission
Harris Tower & Pavillion
611 Ryan Plaza Drive, Suite 400
Arlington, Texas 76011-8064

Chairman, Board of Supervisors
ATTN: Chairman
301 W. Jefferson, 10th Floor
Phoenix, Arizona 85003

Mr. Aubrey V. Godwin, Director
Arizona Radiation Regulatory Agency
4814 South 40 Street
Phoenix, Arizona 85040

Ms. Angela K. Krainik, Manager
Nuclear Licensing
Arizona Public Service Company
P.O. Box 52034
Phoenix, Arizona 85072-2034

Mr. John C. Horne, Vice President
Power Supply
Palo Verde Services
2025 N. Third Street, Suite 220
Phoenix, Arizona 85004

