



Commonwealth Edison Company

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May 9, 1968

Dr. Peter A. Morris, Director
Division of Reactor Licensing
U. S. Atomic Energy Commission
Washington, D.C. 20545



Subject: Proposed Change No. 16 to the Operating License DPR-2 as amended - Dkt 50-10, including Exhibit I

Dear Dr. Morris:

Pursuant to 10 CFR 50.59 and Paragraph 3.a.(4) of License DPR-2, as amended ("DPR-2"), Commonwealth Edison Company requests that Appendix "A" of DPR-2 be amended to allow operation of two Type V fuel assemblies with a gadolinia-alumina rod replacing one gadolinia-urania rod in each assembly in the Dresden Unit 1 reactor. Information to support this request is submitted in Exhibit I attached hereto. Authority to operate Dresden Unit 1 reactor with Type V fuel assemblies, requested by letter dated October 6, 1966, was granted February 23, 1967 and designated as Change No. 13. However, the details regarding the loading of Type V fuel rods with one gadolinia-alumina rod in each of two assemblies are considered to be confidential proprietary information of General Electric Company. This information was generated by General Electric at its expense, involves an invention or inventions believed patentable and on which one or more patent applications will be filed, and is of substantial competitive value to General Electric. Publication of this information would adversely affect the interest of General Electric since it would destroy the competitive value of the information and destroy foreign patent rights on the invention. Accordingly, it is hereby requested that the Commission withhold Exhibit I attached from public disclosure in accordance with 10 CFR 2.790(b).

It is believed that withholding the attached Exhibit I from public inspection is not contrary to the public interest. The regulations of the AEC contained in 10 CFR 2.790(b) provide that the withholding of information from public inspection does not "affect the right of persons properly and directly concerned to inspect the document." Thus, Section 2.790(b) by its terms, recognizes a distinction between the right of the public at large and that part of the public which is "properly and directly concerned." In view of the fact that Section 2.790(b) fully protects the interest of

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persons properly and directly concerned, it is submitted that the public interest test established by the third sentence of Section 2.790(b) can relate only to the interest of members of the general public who have not made a showing that they are properly and directly concerned.

In our opinion the proposed change shall not result in hazards which are greater than or different from, those analyzed in the Hazards Summary Report, specifically there is (1) no increase in the probability of, or (2) no increase in the possible consequences of, or (3) the creation of a credible probability of an accident different from, those accidents previously analyzed in the Hazards Summary Report as amended or in connection with amendments to License DPR-2.

Very truly yours,

COMMONWEALTH EDISON COMPANY

R. E. Reder

R. E. Reder
Nuclear Licensing Administrator

SUBSCRIBED and SWORN to
before me this 9th day
of May, 1968.

Peter A. Nelson
Notary Public

