



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

February 9, 1996

Mr. C. Lance Terry  
Group Vice President, Nuclear  
TU Electric  
Energy Plaza  
1601 Bryan Street, 12th Floor  
Dallas, TX 75201-3411

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2

Dear Mr. Terry:

By your application dated December 19, 1995, and Siemens Power Corporation's (SPC's) affidavit executed by R. A. Copeland dated December 14, 1995, you submitted RXE-95-001-P (RXE-95-001-NP, non-proprietary) "Small Break Loss of Coolant Accident Analysis Methodology" and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790.

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

1. The document contains information which is vital to a competitive advantage of SPC and would be helpful to competitors of SPC when competing with SPC.
2. The information contained in the document is considered to be proprietary by SPC because it reveals certain distinguishing aspects of SPC small break analysis methodology which secure competitive advantage to SPC for fuel design optimization and marketability, and includes information utilized by SPC in its business which affords SPC an opportunity to obtain a competitive advantage over its competitors who do not or may not know or use the information contained in the document.
3. The disclosure of the proprietary information contained in the document to a competitor would permit the competitor to reduce its expenditure of money and manpower and to improve its competitive position by giving it valuable insights into SPC small break analysis methodology and would result in substantial harm to the competitive position of SPC.
4. The document contains proprietary information which is held in confidence by SPC and is not available in public sources.
5. In accordance with SPC's policies governing the protection and control of information, proprietary information contained in the document has been made available, on a limited basis, to others outside SPC only as required and under suitable agreement providing for nondisclosure and limited use of the information.

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6. SPC policy requires that proprietary information be kept in a secured file or are and distributed on a need-to-know basis.
7. Information in this document provides insight into SPC small break analysis methodology developed by SPC. SPC has invested significant resources in developing the methodology as well as the strategy for this application. Assuming a competitor had available the same background data and incentives as SPC, the competitor might, at a minimum, develop the information for the same expenditure of manpower and money as SPC.

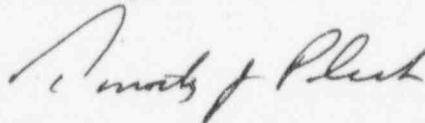
We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information.

Therefore, the version(s) of the submitted information marked as proprietary will be withheld from the 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.

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.

Sincerely,



Timothy J. Polich, Project Manager  
Project Directorate IV-1  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

cc: See next page

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We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information.

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Sincerely,  
 Original signed by  
 Timothy J. Polich, Project Manager  
 Project Directorate IV-1  
 Division of Reactor Projects III/IV  
 Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

cc: See next page

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 JDyer, RIV

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NAME	PNoonan	TPolich/vw	MSiemien	WBeckner
DATE	2/16/96	2/16/96	2/18/96	2/9/96
COPY	YES/NO	YES/NO	YES/NO	YES/NO

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*signed 2/19/96  
 TP*

Mr. C. Lance Terry  
TU Electric Company

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Comanche Peak, Units 1 and 2

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County Judge  
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