

## AFFIDAVIT

STATE OF WASHINGTON     )  
  :  
COUNTY OF BENTON     )     ss

**Timothy J. Tate**, being duly sworn on oath, states as follows:

1. I am employed by Framatome Inc. (Framatome) as Manager, Environmental, Health, Safety and Licensing in Richland, Washington. I am responsible for the overall administration of the safety programs at Framatome's Richland, Washington nuclear fuel fabrication facility, including regulatory licensing and permitting. This affidavit is based on my first hand, personal knowledge and is submitted in my capacity as Manager, Environmental, Health, Safety and Licensing.

2. I am familiar with the contents of the attached "SCALE 6.2.2 Validation Report." This report has been classified and designated as "Proprietary" by Framatome in accordance with the document control system and policies established by Framatome for the control and protection of proprietary and confidential information.

3. Framatome is engaged in the business of designing and manufacturing nuclear fuel assemblies for commercial nuclear reactors. Within the United States, there are two additional firms that design and manufacture nuclear fuel for commercial nuclear reactors and there are several other companies outside of the United States that engage in the same business as Framatome. Competition among these companies including Framatome is fierce and manufacturing costs of the nuclear fuel are critical to the maintenance of market share and to the growth of market share among utility customers.

4. The report contains commercial information of a confidential nature that is not available in public sources or available to the public. This information is commercial and confidential because it:

- A. Reveals distinguishing aspects of Framatome's business plans which a competitor within the field of nuclear fuel manufacturing may adapt for their business plans, thereby gaining a competitive advantage to the disadvantage of Framatome.
- B. Reveals aspects of privately funded development of code validation derived by Framatome to support optimizing the performance of manufacturing and waste treatment processes.
- C. Reveals technical work performed by Framatome which a competitor could readily use without expenditure of funds and replicate this work thereby gaining a competitive advantage to the disadvantage of Framatome.

5. Framatome Inc. will suffer considerable competitive harm if the contents of the report are made available to Framatome domestic and international competitors.

Dated this 29 day of November 2021.



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 Timothy J. Tate  
 Manager, Environmental, Health, Safety and Licensing

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   :  
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On this 29<sup>th</sup> day of November, 2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Timothy J. Tate to me known to be the Manager, Environmental, Health, Safety and Licensing of Framatome Inc., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

*Katherine Kerr*

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Katie Kerr  
Notary Public in and for the State of Washington,  
residing at Benton, Washington.  
MY COMMISSION EXPIRES: September 12, 2022

