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**AFFIDAVIT**

- (1) I, Martin Murphy, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Curtiss-Wright Flow Control Service, LLC (Curtiss-Wright).
  
- (2) I am requesting the identified portions of material presented to the NRC on May 14, 2024, during the Constellation LAR pre-submittal meeting, RE NRC Docket Nos. 50-277 and 50-278 which contain proprietary information be withheld from public disclosure under 10 CFR 2.390(b)(1).
  
- (3) I have personal knowledge of the criteria and procedures utilized by Curtiss-Wright in designating information as a trade secret, or confidential or privileged commercial or financial information that would be protected from public disclosure under 10 CFR 2.390(a)(4).
  
- (4) Pursuant to 10 CFR 2.390, the following is furnished for consideration by the Nuclear Regulatory Commission (NRC) in determining whether the information sought to be withheld from public disclosure should be withheld.
  - (i) The information sought to be withheld from public disclosure is owned or developed and has been held in confidence by Curtiss-Wright and is not customarily disclosed to the public.
  
  - (ii) Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Curtiss-Wright because it would enhance the ability of competitors to provide similar technical evaluation justifications and licensing for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.
  
- (5) Curtiss-Wright has policies in place to identify proprietary information. Under that

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system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, including but not limited as follows:

- (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, software program, etc.) where prevention of its use by any of Curtiss-Wright's competitors without license from Curtiss-Wright constitutes a competitive economic advantage over other companies.
- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, software program, etc.), the application of which data secures a competitive economic advantage (e.g., by optimization or improved marketability).
- (c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Curtiss-Wright, its customers, or suppliers.
- (e) It reveals aspects of past, present, or future Curtiss-Wright or customer funded development plans and programs of potential commercial value to Curtiss-Wright.
- (f) It contains patentable ideas, for which patent protection may be desirable.

The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding is indicated in both versions by means of lower-case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower-case letters

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refer to the types of information Curtiss-Wright customarily holds in confidence identified in Sections (5)(a) through (f) of this Affidavit.

I declare that the statement of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true.

Executed on: 04/25/2024

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Martin Murphy  
Manager, Nuclear Regulatory Services  
Curtiss-Wright