



**TXU Energy**  
**Comanche Peak Steam**  
**Electric Station**  
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**C. Lance Terry**  
Senior Vice President &  
Principal Nuclear Officer

Ref: 10CFR50.90

CPSES-200301927  
Log # TXX-03161  
File # 00236

September 16, 2003

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

**SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION (CPSES)**  
**DOCKET NOS. 50-445 AND 50-446**  
**RESPONSE TO REQUEST FOR CLARIFICATION RELATED TO**  
**LICENSE AMENDMENT REQUEST 03-01, REVISION TO**  
**TECHNICAL SPECIFICATION (TS) BASES**  
**(TAC NOS. MB7984 and MB7985)**

- REF: 1) TXU Energy Letter, logged TXX-03012, from C. L. Terry to U. S. Nuclear Regulatory Commission dated March 6, 2003
- 2) TXU Energy Letter, logged TXX-03150, from C. L. Terry to U. S. Nuclear Regulatory Commission dated August 29, 2003

Gentlemen:

The purpose of this letter is to reply to your request of September 11, 2003 for clarification related to our submittal of License Amendment Request 03-01 in accordance with the provisions of 10CFR50.90. Attachment 4 to Reference 1 provided our proposed changes to the CPSES Final Safety Analysis Report (FSAR). Although the proposed changes to the CPSES FSAR were identified in Reference 1 as provided for information only, prior NRC review and approval of the proposed FSAR changes is required, in accordance with the provisions of 10 CFR 50.59, in order to adopt the requested change in methodology for response time testing.

In evaluating the changes proposed in our License Amendment Request in accordance with the provisions of 10 CFR 50.59, TXU Energy concluded that verification of allocated response times for the subject protection channel equipment in lieu of actual performance of response time tests met the criteria stated in 10 CFR 50.59(c)(2)(viii), i.e., the proposed use of allocated response times would constitute a "...departure from a method of evaluation described in the FSAR (as updated) used in establishing the design basis or in the safety analysis."

DOZ9

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TXX-03161

Page 2 of 2

Therefore, TXU Energy concluded that a license amendment request was required in accordance with the provisions of 10 CFR 50.90 and CPSES TS 5.5.14 even though the changes contemplated did not affect the license or the Technical Specifications incorporated in the license. TXU Energy requests staff approval of the FSAR changes reflecting verification of response times in lieu of measurement.

This communication contains no new licensing basis commitments regarding CPSES Units 1 and 2.

I state under penalty of perjury that the foregoing is true and correct.

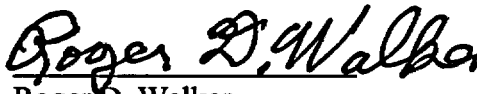
Executed on September 16, 2003

Sincerely,

TXU Generation Company LP

By: TXU Generation Management Company LLC,  
Its General Partner

C. L. Terry  
Senior Vice President and Principal Nuclear Officer

By:   
Roger D. Walker  
Regulatory Affairs Manager

RAS/ras

c - T. P. Gwynn, Region IV  
W. D. Johnson, Region IV  
M. C. Thadani, NRR  
Resident Inspectors, CPSES