

September 5, 2006

Carl E. Parry, President
and Chief Executive Officer
Utilities Service Alliance, Inc.
9200 Indian Creek Parkway
Suite 201
Overland Park, KS 66210

SUBJECT: UTILITIES SERVICE ALLIANCE, INC., REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Parry:

By letter dated July 12, 2006, you submitted an affidavit on behalf of Utilities Service Alliance (USA) Inc. In this affidavit you requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

WCAP-16568-P "Jet Impingement Testing to Determine the Zone of Influence (ZOI) for DBA-Qualified/Acceptable Coatings."

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

- a. The information sought to be withheld from public disclosure has been held in confidence by USA. The information is of a type customarily held in confidence by other organizations and not customarily disclosed to the public.

Based on a review of 10 CFR Section 2.390, the information to be held in confidence falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

- (1) The information reveals the distinguishing aspects of a process or a method, where prevention of its use by any other company without license from the owner constitutes a competitive economic advantage over other companies.
- (2) It consists of supporting data relative to a process or a method, the application of which secures a competitive advantage.
- (3) Its use by another company would reduce its expenditure of resources or improve its competitive position in the design, assurance of quality, or licensing of a similar product.

There are sound reasons behind the USA position which include the following:

- (1) It is information which is marketable in many ways.

(2) Use by other companies would put USA at a competitive disadvantage by reducing their expenditures of resources at our expense.

(3) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving USA of a competitive advantage.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, WCAP-16568-P "Jet Impingement Testing to Determine the Zone of Influence (ZOI) for DBA-Qualified/Acceptable Coatings" marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(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.

If you have any questions regarding this matter, I may be reached at 301-415-1002.

Sincerely,

/RA/

Joseph A. Golla, Project Manager
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

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Joseph A. Golla, Project Manager
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

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