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SUBJECT: Forwards affidavit supporting withholding of ANF-89-164(P),
"Mechanical Licensing Rept for HB Robinson High Thermal
Performance Fuel Assemblies," from public disclosure per
10CFR2.790(b).

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AFFIDAVIT FOR ANF-89-164(P)

Gentlemen:

By letter dated February 6, 1990, Carolina Power & Light Company submitted the report ANF-89-164(P), "Mechanical Licensing Report for H. B. Robinson High Thermal Performance Fuel Assemblies." The report was submitted in support of Cycle 14 operations. Siemens Power Corporation considers the information contained in ANF-89-164(P) to be proprietary. In accordance with the requirements of 10 CFR 2.790(b), an affidavit executed by Siemens Power Corporation is enclosed to support withholding of this document from public disclosure.

Questions regarding this matter may be referred to Mr. R. W. Prunty at (919) 546-7318.

Yours very truly,

David C. McCarthy
Manager

Nuclear Licensing Section

JSK/jbw

Enclosure

cc: Mr. S. D. Ebnetter
Mr. L. W. Garner
Ms. B. L. Mozafari

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P PDR

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(2012RNP)

AFFIDAVIT

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

I, R. A. Copeland being duly sworn, hereby say and depose:

1. I am Manager, Product Licensing, for Siemens Power Corporation ("SPC"), and as such I am authorized to execute this Affidavit.

2. I am familiar with SPC's detailed document control system and policies which govern the protection and control of information.

3. I am familiar with the topical report ANF-89-164(P) entitled "Mechanical Licensing Report for H. B. Robinson High Thermal Performance Fuel Assemblies," referred to as "Document." Information contained in this Document has been classified by SPC as proprietary in accordance with the control system and policies established by SPC for the control and protection of information.

4. The Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by SPC and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in the Document as proprietary and confidential.

5. The Document has been made available to the U.S. Nuclear Regulatory Commission in confidence, with the request that the information contained in the Document will not be disclosed or divulged.

6. 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.

7. The information contained in the Document is considered to be proprietary by SPC because it reveals certain distinguishing aspects of SPC mechanical design 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.

8. 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 mechanical design methodology and would result in substantial harm to the competitive position of SPC.

9. The Document contains proprietary information which is held in confidence by SPC and is not available in public sources.

10. 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.

11. SPC policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

12. Information in this Document provides insight into SPC mechanical design 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.

THAT the statements made hereinabove are, to the best of my knowledge,
information, and belief, truthful and complete.

FURTHER AFFIANT SAYETH NOT.

[Signature]

SUBSCRIBED before me this 29th

day of April, 1993.

[Signature]

Susan K. McCoy
NOTARY PUBLIC, STATE OF WASHINGTON
MY COMMISSION EXPIRES: 1/10/96