

BEFORE THE U.S. NUCLEAR REGULATORY COMMISSION

AFFIDAVIT OF THE INSTITUTE OF NUCLEAR POWER OPERATIONS
PURSUANT TO 10 C.F.R. § 2.390


PERSONALLY APPEARED BEFORE ME, the undersigned officer duly authorized by law to administer oaths, RONN SMITH, who after being sworn stated of his personal knowledge as follows:

1. I am the Director of Communications for the Institute of Nuclear Power Operations (“INPO”) in Atlanta, Georgia. I have held this position continuously since July 2007 and previous to that I was a section manager in Communications. In addition, I was the Manager of Corporate Communications at Wolf Creek from February 1986 through October 1994. In all, I have nearly thirty years of personal experience in the commercial nuclear power industry.
2. As Director of Communications for INPO, I have been specifically delegated by the Chief Executive Officer of INPO the function of protecting INPO’s confidential and proprietary information and reports from public disclosure. I have similarly been specifically delegated the responsibility of designing and implementing procedures for ensuring that INPO’s confidential and proprietary information and reports are held in confidence by INPO. Finally, I am authorized by INPO to apply on its behalf for confidential treatment of its confidential and proprietary information and reports under 10 C.F.R. § 2.390.
3. The information and reports that INPO voluntarily submits to the U.S. Nuclear Regulatory Commission (the “NRC”) include INPO Operating Experience products,

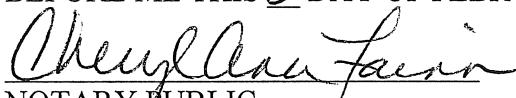
INPO Event Reports (IERs); other INPO documents and reports; and information in the INPO Consolidated Events (ICES) Database (collectively, “Confidential INPO Documents”).

4. The Confidential INPO Documents include trade secrets and are confidential commercial information that INPO does not customarily make available to the public, are held in confidence by INPO, are submitted voluntarily by INPO to the NRC, are not available in public sources, and whose disclosure would cause substantial harm to INPO’s competitive position. INPO voluntarily submits the Confidential INPO Documents to the NRC in confidence, and with the expectation and understanding that they will be maintained as confidential.
5. The Confidential INPO Documents other than the ICES database are marked with one of four distribution categories: “Open Distribution,” “General Distribution,” “Limited Distribution,” or “Restricted Distribution.” Documents designated as “Open Distribution” contain no INPO proprietary information and are available for release to the general public. Documents marked as “General Distribution,” “Limited Distribution,” or “Restricted Distribution” contain trade secrets or other confidential and proprietary information that INPO does not customarily release to the public and maintains in confidence. The ICES database is marked “Proprietary Commercial Information,” or “ICES Proprietary Information,” and also contains trade secrets or other information that INPO does not release to the public and maintains in confidence. The NRC should not release to the public any Confidential INPO Documents marked as “General Distribution,” “Limited Distribution,” or “Restricted Distribution,” or any data from the ICES database.

6. INPO also voluntarily submits to the NRC Performance Indicator data, including certain data that are trade secrets and/or are confidential commercial information, which INPO does not customarily release to the public, are held in confidence by INPO, are not available in public sources, and whose disclosure would cause substantial harm to INPO's competitive position. INPO voluntarily submits the confidential Performance Indicator data to the NRC in confidence, and with the expectation and understanding that it will be maintained as confidential. The file name of each file in the Performance Indicator data that contains trade secrets or is otherwise confidential contains the word "proprietary." The NRC should not release to the public any information in the Performance Indicator data that is contained in a file with the word "Proprietary" in the file name.
7. The public disclosure of any of the documents, information, reports, and data described above would cause substantial harm to the competitive position of INPO, taking into account the fact that it would be extremely difficult to obtain the same information elsewhere, and considering the amount of effort and resources expended by INPO in developing such materials.


Ronn Smith

SUBSCRIBED & SWORN TO
BEFORE ME THIS 5 DAY OF FEBRUARY 2014


NOTARY PUBLIC

