

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED 07/19/01

COMMISSIONERS:

SERVED 07/19/01

Richard A. Meserve, Chairman  
Greta Joy Dicus  
Edward McGaffigan, Jr.  
Jeffrey S. Merrifield

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In the Matter of )  
 )  
 )  
POWER AUTHORITY OF THE )  
STATE OF NEW YORK and )  
ENTERGY NUCLEAR FITZPATRICK LLC, )  
ENTERGY NUCLEAR INDIAN POINT 3 LLC, )  
and ENTERGY NUCLEAR )  
OPERATIONS, INC. )  
 )  
(James A. FitzPatrick Nuclear Power Plant )  
and Indian Point Nuclear Generating )  
Unit No. 3) )  
\_\_\_\_\_ )

Docket Nos. 50-333-LT  
and 50-286-LT  
(consolidated)

CLI-01-16

**MEMORANDUM AND ORDER**

On June 21, 2001, the Commission issued CLI-01-14, 53 NRC \_\_\_\_, approving the transfer of both ownership and operation of the FitzPatrick and Indian Point 3 nuclear power plants from the Power Authority of the State of New York to various subsidiaries of Entergy Corporation. In CLI-01-14, we rejected all arguments of intervenor Citizens Awareness Network concerning the adequacy of Entergy's financial qualifications and decommissioning plan. We were concerned, however, that we might have inadvertently included in CLI-01-14 proprietary information the public release of which might be harmful to Entergy or PASNY. We therefore withheld the order from public release so that they could review CLI-01-14 and advise us of any information they considered confidential. See CLI-01-14, slip op. at 83.

Today, we release that order with appropriate redactions on pages 17, 25, 26, and 31. Each redaction addresses a proprietary concern raised by Entergy. We further direct those parties who received the proprietary version of CLI-01-14 not to publicly disclose, discuss or otherwise make use of the redacted material.

IT IS SO ORDERED.

For the Commission

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Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland,  
this 19<sup>th</sup> day of July, 2001.