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UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

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In the Matter of

Niagara Mohawk Power Corporation,
New York State Electric & Gas
Corporation,
And
AmerGen Energy Company, LLC
(Nine Mile Point, Units 1 & 2)

Docket Nos. 50-220 & 50-410 License Nos. DPR-63 and NPF-69

RESPONSE OF CENTRAL HUDSON GAS & ELECTRIC CORPORATION, LIPA AND ROCHESTER GAS AND ELECTRIC CORPORATION TO THE APPLICANTS' MOTION FOR DISMISSAL OF PROCEEDING

Pursuant to Subpart M of the Nuclear Regulatory Commission's ("NRC" or "Commission") Rules of Practice and Procedure, and specifically 10 C.F.R. § 2.1325(b), Central Hudson Gas & Electric Corporation, LIPA and Rochester Gas and Electric Corporation (collectively "Co-tenants") hereby respond to the Motion for Dismissal of Proceeding filed by AmerGen Energy Company, L.L.C. ("AmerGen"), New York State Electric & Gas Corporation ("NYSEG"), and Niagara Mohawk Power Corporation ("Niagara Mohawk")(collectively "Applicants").

The Co-tenants support Applicants' decision to withdraw their application for NRC approval to transfer the licenses for Nine Mile Point Units 1 and 2 held by Niagara Mohawk and NYSEG to AmerGen. The Co-tenants concur in Applicants' assessment of the impact of the April 25, 2000 Order by the New York State Public Service Commission. In view of Applicants' withdrawal of their transfer application,

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SECY-02

motion and respectfully request that the Commission promptly terminate this proceeding.

Respectfully submitted,

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CORPORATION

DATED: June 1, 2000

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing RESPONSE OF CENTRAL HUDSON GAS & ELECTRIC CORPORATION, LIPA AND ROCHESTER GAS AND ELECTRIC CORPORATION TO THE APPLICANTS' MOTION FOR DISMISSAL OF PROCEEDING were served upon the following persons by e-mail in accordance with the requirements of 10 C.F.R. § 2.1313 this 1st day of June 2000 and a hard copy pursuant to the Commission's Memorandum and Order (CLI-99-30) by U.S. Mail, first class postage prepaid where indicated by an asterisk (*):

Office of Commission Appellate Adjudication * U.S. Nuclear Regulatory Commission Washington, DC 20555-0001

Rulemaking and Adjudications Branch * Office of the Secretary U.S. Nuclear Regulatory Commission 11555 Rockville Pike, Room O-16-H-15 Washington, DC 20555-0001 E-mail: SECY@nrc.gov

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