

July 13, 2000

Mr. John H. Mueller
Chief Nuclear Officer
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station
Operations Building, Second Floor
P.O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2 - NOTICE OF WITHDRAWAL OF APPLICATION FOR APPROVAL OF TRANSFER OF FACILITY OPERATING LICENSES AND CONFORMING AMENDMENTS (TAC NOS. MA6426 AND MA6427)

Dear Mr. Mueller:

Enclosed is a copy of a "Notice of Withdrawal of Application for approval of Transfer of Facility Operating Licenses and Conforming Amendments" related to the letter dated May 24, 2000, filed by Niagara Mohawk Power Corporation (NMPC), New York State Electric & Gas Corporation (NYSEG), and AmerGen Energy Company, LLC (AmerGen) to withdraw their joint application of September 10, 1999. The application sought the NRC's consent to the proposed transfer of the Nine Mile Point Nuclear Station, Unit 1 and 2, operating licenses to the extent held by NMPC and NYSEG to AmerGen.

This Notice of Withdrawal is being forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Peter S. Tam, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-220 and 50-410

Enclosure: Notice of Withdrawal

cc w/encl: See next page

July 13, 2000

Mr. John H. Mueller
Chief Nuclear Officer
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station
Operations Building, Second Floor
P.O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2 - NOTICE OF WITHDRAWAL OF APPLICATION FOR APPROVAL OF TRANSFER OF FACILITY OPERATING LICENSES AND CONFORMING AMENDMENTS (TAC NOS. MA6426 AND MA6427)

Dear Mr. Mueller:

Enclosed is a copy of a "Notice of Withdrawal of Application for approval of Transfer of Facility Operating Licenses and Conforming Amendments" related to the letter dated May 24, 2000, filed by Niagara Mohawk Power Corporation (NMPC), New York State Electric & Gas Corporation (NYSEG), and AmerGen Energy Company, LLC (AmerGen) to withdraw their joint application of September 10, 1999. The application sought the NRC's consent to the proposed transfer of the Nine Mile Point Nuclear Station, Unit 1 and 2, operating licenses to the extent held by NMPC and NYSEG to AmerGen.

This Notice of Withdrawal is being forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Peter S. Tam, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-220 and 50-410

Enclosure: Notice of Withdrawal

cc w/encl: See next page

Accession Number: ML003728991

* See previous concurrence

OFFICE	PM:PDI	E	LA:PDI	SC:PDI	OGC*		
NAME	PTam:bd		SLittle	MGamberoni	SHom		
DATE	7 / 13 / 00		7 / 13 / 00	7 / 13 / 00	7 / 10 / 00		

Official Record Copy

Nine Mile Point Nuclear Station
Unit Nos. 1 and 2

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Resident Inspector
U.S. Nuclear Regulatory Commission
P.O. Box 126
Lycoming, NY 13093

Mr. Jim Rettberg
New York State Electric & Gas
Corporation
Corporate Drive
Kirkwood Industrial Park
P.O. Box 5224
Binghamton, NY 13902-5224

Supervisor
Town of Scriba
Route 8, Box 382
Oswego, NY 13126

Mr. Richard Goldsmith
Syracuse University
College of Law
E.I. White Hall Campus
Syracuse, NY 12223

Mr. John V. Vinquist, MATS Inc.
P.O. Box 63
Lycoming, NY 13093

Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271

Mr. Paul D. Eddy
Electric Division
NYS Department of Public Service
Agency Building 3
Empire State Plaza
Albany, NY 12223

Mr. Timothy S. Carey
Chair and Executive Director
State Consumer Protection Board
5 Empire State Plaza, Suite 2101
Albany, NY 12223

Mark J. Wetterhahn, Esquire
Winston & Strawn
1400 L Street, NW
Washington, DC 20005-3502

Gary D. Wilson, Esquire
Niagara Mohawk Power Corporation
300 Erie Boulevard West
Syracuse, NY 13202

Mr. F. William Valentino, President
New York State Energy, Research,
and Development Authority
Corporate Plaza West
286 Washington Avenue Extension
Albany, NY 12203-6399

DATED: July 13, 2000

NOTICE OF WITHDRAWAL OF APPLICATION FOR APPROVAL OF TRANSFER OF
FACILITY OPERATING LICENSES AND CONFORMING AMENDMENTS - NINE MILE POINT
NUCLEAR STATION, UNIT NOS. 1 AND 2 (TAC NOS. MA6426 AND MA6427)

DISTRIBUTION:

PUBLIC

PDI-1 Reading

J. Zwolinski

M. Gamberoni

S. Little

P. Tam

OGC

ACRS

M. Opredek, Region I

P. Sekerak (e-mail)

M. Davis (e-mail)

R. Pelton (e-mail)

M. Evans (e-mail)

G. Hunegs (e-mail)

R. Fernandez (e-mail)

B. Fuller (e-mail)

D. Skay (e-mail)

G. Dick (e-mail)

cc: Plant Service list

UNITED STATES NUCLEAR REGULATORY COMMISSIONNIAGARA MOHAWK POWER CORPORATIONNEW YORK STATE ELECTRIC & GAS CORPORATIONNINE MILE POINT NUCLEAR STATION, UNITS 1 AND 2DOCKET NOS. 50-220 AND 50-410NOTICE OF WITHDRAWAL OF APPLICATION FOR APPROVAL OF
TRANSFER OF FACILITY OPERATING LICENSES AND CONFORMING AMENDMENTS

The U.S. Nuclear Regulatory Commission (the Commission) has permitted the withdrawal of the application dated September 10, 1999, filed by Niagara Mohawk Power Corporation (NMPC), New York State Electric & Gas Corporation (NYSEG) and AmerGen Energy Company, LLC (AmerGen), which had requested Commission approval of the proposed transfer of the licenses for Nine Mile Point Nuclear Station, Units 1 and 2, to the extent held by NMPC and NYSEG, to AmerGen.

The Commission had previously published a Notice of Consideration of Approval of Transfer of Facility Operating Licenses and Conforming Amendments, and Opportunity for a Hearing (64 FR 52798, dated September 30, 1999). Pursuant to such notice, three current co-owners of the facility (Rochester Gas And Electric Corporation, Central Hudson Gas & Electric Corporation, and Long Island Lighting Company) filed hearing requests and petitions to intervene in opposition to the application. The Attorney General of the State of New York also filed a petition to intervene. By a joint letter dated May 24, 2000, the applicants NMPC, NYSEG and AmerGen withdrew their application. In addition, by a motion filed that same date, the applicants requested dismissal of the proceeding regarding the hearing requests that have been pending before the Commission. By order dated June 13, 2000, the Commission terminated that proceeding.

For further details with respect to this withdrawal, see (1) NMPC, NYSEG and AmerGen's letter dated May 24, 2000, available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC; and (2) the Commission's Order dated June 13, 2000, dismissing the license transfer proceeding. Alternately, these documents may be viewed electronically under Accession Numbers ML003719110 and ML003723369 thru the ADAMS Public Electronic Reading Room link at the NRC website (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 13th day of July, 2000.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Peter S. Tam, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation