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August 10, 2000

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**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Commission

In the Matter of)
)
POWER AUTHORITY OF THE)
STATE OF NEW YORK)
and)
ENTERGY NUCLEAR INDIAN POINT 3 LLC,)
and ENTERGY NUCLEAR OPERATIONS, INC.)
)
(Indian Point Nuclear Generating Unit No. 3))

Docket Nos. 50-286-LT

**APPLICANTS' ANSWER TO THE PETITION OF
THE COUNTY OF WESTCHESTER, NEW YORK
FOR LEAVE TO PARTICIPATE**

Entergy Nuclear Indian Point 3 LLC, Entergy Nuclear Operations, Inc., and the Power Authority of the State of New York (collectively the "Applicants") hereby answer the "Petition of the County of Westchester, New York for Leave to Participate," filed on July 31, 2000. Applicants do not oppose Westchester County's participation as an interested county in the event that a hearing is conducted on the Indian Point Unit 3 license transfer application.

Westchester County's petition requests that Westchester County be designated as a participant pursuant to 10 C.F.R. § 2.715(c) in the proceedings related to the transfer of the Indian Point Unit 3 license. Although section 2.715(c) does not apply to license transfer hearings conducted pursuant to 10 C.F.R. Part 2 Subpart M, the NRC has allowed state representatives to participate in an analogous manner in such hearings. See Niagara Mohawk Power Corp. (Nine Mile Point, Units 1 and 2), CLI-99-30, 50 NRC

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333, 344-45 (1999). The acceptance of a petition to participate as an interested state, county or municipality, however, does not trigger a hearing. See Northern States Power Co. (Tyrone Energy Park, Unit 1), CLI-80-36, 12 NRC 523, 527 (1980); Niagara Mohawk Power Corp. (Nine Mile Point Nuclear Station, Unit 2), LBP-83-45, 18 NRC 213, 216 (1983); Duquesne Light Co. (Beaver Valley Power Station, Unit 2), LBP-84-6, 19 NRC 393, 426 (1984).

Respectfully submitted,

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Dated: August 10, 2000

August 10, 2000

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CERTIFICATE OF SERVICE

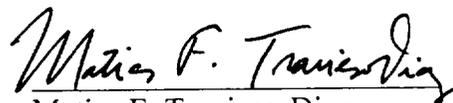
I hereby certify that copies of the foregoing "APPLICANTS' ANSWER TO THE PETITION OF THE COUNTY OF WESTCHESTER, NEW YORK FOR LEAVE TO PARTICIPATE" were served on the persons listed below by electronic mail, this 10th day of August, 2000.

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