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December 12, 2000

BY E-MAIL AND FIRST CLASS MAIL

Charles Bechhoefer, Esq.
Presiding Officer
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20003

Re: Power Authority of the State of New York and Entergy Nuclear-FitzPatrick, LLC, Entergy No. IP3, LLC and Entergy Nuclear Operations, Inc. Docket Nos. 50-333-LT and 50-286-LT (Consolidated)

Dear Judge Bechhoefer:

The Commission's November 27, 2000 Memorandum and Order, CLI-00-22 anticipated that the parties would undertake certain activities and inform the Presiding Officer of the outcome of those activities by December 12, 2000. This letter serves as the response to that directive by the Power Authority of the State of New York, Entergy Nuclear FitzPatrick, LLC, Entergy Nuclear Indian Point 3, LLC and Entergy Nuclear Operations, Inc. (collectively "NYPA/Entergy Companies").

1. **Protective of Proprietary Information.** The Commission's Memorandum and Order directed the parties to negotiate the terms for protecting proprietary information. Based upon discussions with Citizens Awareness Network, Inc. ("CAN") and the Town of Cortlandt, New York and the Hendrik Hudson School District (collectively "Cortlandt"), we have negotiated the terms of confidentiality agreements between the Entergy Companies on the one hand, and CAN and Cortlandt on the other. Since CAN and Cortlandt will have access to the relevant proprietary information pursuant to these agreements, the protective order contemplated in CLI-00-22 is unnecessary.
2. **Settlement Discussions.** The Commission's Memorandum and Order direct the parties to promptly confer on whether the proceeding could be settled. NYPA/Entergy Companies have discussed the possibility of settlement with each of the parties. An agreement has been reached with Cortlandt which will be considered by the Town Board at a meeting the evening of December 12 and by the Hendrick Hudson School District's Board of Education on

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Charles Bechhoefer, Presiding Officer

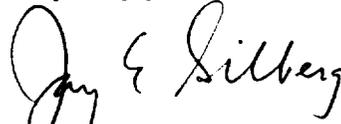
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December 13. It is our understanding that Cortlandt will file a notice of withdrawal from this proceeding once these approvals have taken place.

3. Non-oral hearing. The Commission's Memorandum and Order calls for the parties to submit a joint motion for a "hearing consisting of written comments" if all parties agree to a non-oral hearing. We have been informed that at least one party, Nuclear Generation Employees Association, will not agree to a non-oral hearing.

Very truly yours,



Jay E. Silberg

Counsel for Power Authority of the State of
New York, Entergy Nuclear FitzPatrick,
LLC, Entergy Nuclear Indian Point 3, LLC
and Entergy Nuclear Operations, Inc.

cc: Service List

Document #: 1052432 v.3

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