

RAS 2805

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February 26, 2001

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

U. S. Nuclear Regulatory Commission  
Washington, DC 20555

**ATTENTION:** Document Control Desk

**SUBJECT:** James A. FitzPatrick Nuclear Power Plant and Indian Point Nuclear  
Generating Unit No 3; Docket Nos. 50-333-LT and 50-286-LT  
(consolidated), ASLB No. 01-785-02-LT

NYPA/Entergy Companies' Initial Written Statement Of Position On  
Issue 3 (CAN's Revised Contention On Financial Qualifications) and  
Written Direct Testimony and Joint Affidavit of Barrett E Green and  
Michael R. Kansler

Ladies and Gentlemen:

Pursuant to the Presiding Officer's Memorandum and Order (CAN's Revised Contention on Financial Qualifications), LBP-01-04 (February 5, 2001), Entergy Nuclear FitzPatrick, LLC, Entergy Nuclear Indian Point 3, LLC, Entergy Nuclear Operations, Inc. and the Power Authority of the State of New York file the enclosed NYPA/Entergy Companies' Initial Written Statement of Position on Issue 3 (CAN's Revised Contention on Financial Qualifications) and Written Direct Testimony and Joint Affidavit of Barrett E. Green and Michael R. Kansler on CAN's Revised Contention on Financial Qualifications.

Both the Initial Written Statement of Position and the Written Direct Testimony and Joint Affidavit contain information that is requested to be withheld from public disclosure pursuant to 10 CFR 2.790(a)(4) and 10 CFR 9.17(a)(4). The information contained in both documents is an elaboration of that provided as part of the applications for NRC consent to the transfer of the operating licenses for the above referenced facilities ("Applications"). The Applications, filed on May 12, 2000, included affidavits by Michael R. Kansler, Senior Vice President and Chief Operating Officer of Entergy Nuclear FitzPatrick, LLC, Entergy Nuclear Indian Point 3, LLC and Entergy Nuclear Operations, Inc. which provided the basis for the request that certain information contained in the Applications be withheld from public disclosure. Mr. Kansler's

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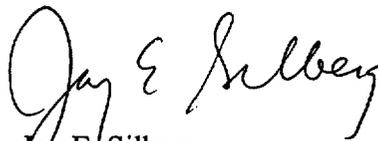
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affidavits likewise provide the basis for the request herein that the enclosed materials be withheld from public disclosure.

Very truly yours,



Jay E. Silberg

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

Enclosures:

NYP/Entergy Companies' Initial Written Statement of Position on Issue 3 (CAN's  
Revised Contention on Financial Qualifications)  
Written Direct Testimony and Joint Affidavit of Barrett E. Green and  
Michael R. Kansler on CAN's Revised Contention on Financial Qualifications