

RAS 2907

# ShawPittman

A Law Partnership Including Professional Corporations

JAY E. SILBERG  
202.663.8063  
jay.silberg@shawpittman.com

DOCKETED  
USNRC

'01 MAR 29 A7:28

March 23, 2001

OFFICE OF THE SECRETARY  
REGULATORY AND  
ADJUDICATIONS STAFF

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

**Re: Consolidated Edison Company of New York, Inc.  
and Entergy Nuclear Indian Point 2, LLC  
and Entergy Nuclear Operations, Inc.  
Docket Nos. 50-003-LT, 50-247-LT**

## Status of Confidentiality Agreements

Gentlemen:

In its Memorandum and Order in the above proceeding, CLI-01-08 (March 6, 2001), the Commission stated that the applicants – Consolidated Edison Company of New York, Inc., and Entergy Nuclear Indian Point 2, LLC and Entergy Nuclear Operations, Inc. (“the Entergy Companies”) - and the petitioners – Citizens Awareness Network, Inc. (“CAN”), and the Town of Cortlandt and the Hendrick Hudson School District (collectively “Cortlandt/HHSD”) - should enter into confidentiality agreements along the same general lines as the ones entered into in the Indian Point 3 case and that unredacted copies of the license transfer application should then be made available to petitioners. The Commission stated that these agreements should be entered into within seven days from the date of CLI-01-08. The Memorandum and Order directed that if confidentiality agreements proved impracticable, applicants and petitioners should notify the Commission.

This letter updates my March 15, 2001 to the Commission as to the status of the confidentiality agreements. As stated therein, Cortlandt/HHSD and the Entergy Companies were negotiating the terms of confidentiality agreements.

On March 21, 2001, Paul V. Nolan, (counsel for Cortlandt/HHSD in the NRC license transfer proceeding) and Peter Henner (an attorney for Cortlandt/HHSD) signed confidentiality agreements with the Entergy Companies. Pursuant to those agreements, copies of the license transfer application have been sent to them. Copies of the applications should have been received by Mr. Nolan on March 22 and by Mr. Henner

Washington, DC  
Northern Virginia  
New York  
Los Angeles  
London

SECY-02

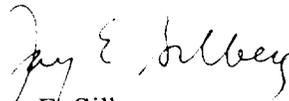
Template = SECY-043

# ShawPittman

Secretary, U.S. Nuclear Regulatory Commission  
March 23, 2001  
Page 2

today (March 23). In accordance with the 20-day period set by CLI-01-08, this would establish April 12, 2001 as the date for Cortlandt/HHSD to file new or revised issues.

Very truly yours,



Jay E. Silberg  
Counsel for the Entergy Companies

cc: Service List

1094469

# ShawPittman

## SERVICE LIST

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

Timothy L. Judson  
Central New York-Citizens Awareness  
Network  
140 Bassett Street  
Syracuse, NY 13210  
(E-mail: [cnycan@rootmedia.org](mailto:cnycan@rootmedia.org))

Brent L. Brandenburg, Esq.  
Consolidated Edison Company of New York  
4 Irving Place, Room 1830  
New York, NY 10003  
(E-mail: [brandenburgb@coned.com](mailto:brandenburgb@coned.com))

David A. Repka, Esq.  
Mark J. Wetterhahn, Esq.  
Winston & Strawn  
1400 L Street, NW  
Washington, DC 20005-3502  
(E-mail: [drepka@winston.com](mailto:drepka@winston.com)  
[mwetterh@winston.com](mailto:mwetterh@winston.com))

Lawrence J. Chandler, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: [ljc@nrc.gov](mailto:ljc@nrc.gov); [ogclt@nrc.gov](mailto:ogclt@nrc.gov))

Paul V. Nolan, Esq.  
5515 North 17<sup>th</sup> Street  
Arlington, VA 22205  
(E-mail: [pvnvn@aol.com](mailto:pvnvn@aol.com))

Douglas Levanway, Esq.  
Wise, Carter, Child and Caraway  
P.O. Box 651  
Jackson, MS 39205  
(E-mail: [del@wisecarter.com](mailto:del@wisecarter.com))

Peter Henner, Esq.  
Attorney and Counselor of Law  
P.O. Box 326  
Clarksville, NY 12041-0326  
(E-mail: [phenner@msn.com](mailto:phenner@msn.com))