

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**RAS 3451**

ATOMIC SAFETY AND LICENSING BOARD PANEL

**DOCKETED 10/04/01**

**SERVED 10/04/01**

Before Administrative Judge:

Ann Marshall Young  
Presiding Officer

_____ )	
In the Matter of )	Docket Nos. 50-003-LT
)	and 50-247-LT
CONSOLIDATED EDISON COMPANY )	(consolidated)
OF NEW YORK and )	
ENERGY NUCLEAR INDIAN POINT 2, LLC, )	ASLBP No. 01-792-03-LT
and ENERGY NUCLEAR OPERATIONS, INC. )	
)	
)	October 4, 2001
(Indian Point Nuclear Generating )	
Units 1 and 2) )	
_____ )	

**ORDER**  
**(Terminating Proceeding)**

On September 18, 2001, an Order was issued in this proceeding, notifying the parties that, unless the Presiding Officer received by October 3, 2001, notification of good cause not to terminate the proceeding, an Order would be entered thereafter, terminating the proceeding and canceling the previously-scheduled October 29, 2001, hearing. The proceeding involves an application to transfer ownership interest in and operating/maintenance responsibility for the Indian Point Nuclear Generating Unit Nos. 1 and 2 from Consolidated Edison Company of New York to Entergy Nuclear Indian Point 2, LLC and Entergy Nuclear Operations, Inc. The September 18, 2001, Order was based upon receipt of documents filed by the parties on September 7, 2001, indicating circumstances that appeared to warrant the termination of this proceeding – namely, notification that the Entergy Companies, and the Town of Cortlandt and the Hendrick Hudson School District (collectively, “Cortlandt”), had reached a settlement

pursuant to which Cortlandt would be filing a Notice of Withdrawal, and a letter from the Citizens Awareness Network stating that it declined to participate in a hearing on the license transfer at issue. Since issuance of the September 18, 2001, Order, Cortlandt's Notice of Withdrawal was docketed with the Office of the Secretary of the Commission, on September 24, 2001, and no other documents have been filed, nor any other notifications received.

No good cause having been asserted not to terminate the proceeding, the proceeding before this Presiding Officer is hereby *terminated*, and the October 29, 2001, hearing is hereby *cancelled*.

IT IS SO ORDERED.<sup>1</sup>

*/RA/*

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Administrative Judge Ann Marshall Young  
PRESIDING OFFICER

Rockville, Maryland  
October 4, 2001

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<sup>1</sup>Copies of this Order were sent this date by Internet e-mail or facsimile transmission, if available, to all participants or counsel for participants.



Docket Nos. 50-003-LT and 50-247-LT  
(consolidated)  
LB ORDER (TERMINATING PROCEEDING)  
(LBP-01-28)

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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 4<sup>th</sup> day of October 2001