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LWR 2-2

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P. Kreutzer, EP

E. Muller, EP

B. Scharf

ACRS (12)

R. Benedict

M. Service

February 25, 1975

Docket No. 50-382

Louisiana Power and Light Company
Attn: Mr. J. M. Wyatt
Senior Vice President
142 Delaronde Street
New Orleans, Louisiana 70174

Dear Mr. Wyatt:

In its Decision dated February 3, 1975, the Atomic Safety and Licensing Appeal Board directed the Nuclear Regulatory Commission to make certain changes in the construction permit for the Waterford Steam Electric Station, Unit 3. The changes are intended to clarify the conditions under which joint ownership in a nuclear generating plant must be offered to other entities by the permit holder.

The Commission has incorporated these changes into Amendment No. 1 to CPPR-103. This amendment is enclosed, together with a copy of a related notice that has been transmitted to the Office of the Federal Register for publication.

Sincerely,

Original signed by
K. Kniel

Karl Kniel, Chief
Light Water Reactors Branch 2-2
Division of Reactor Licensing

Enclosures:

- 1. Amendment 1 to CPPR-103
- 2. Federal Register Notice

ccs:

See page 2

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11

LWR 2-2 M. Service 2/21/75	LWR 2-2 RBenedict 2/21/75	LWR 2-2 KKniel 2/21/75	ELD JRutberg 2/24/75	AD:LWR V. Moore 2/25/75	
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Rev. 9-53)

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

LOUISIANA POWER & LIGHT COMPANY

DOCKET NO. 50-382

WATERFORD STEAM ELECTRIC STATION, UNIT 3

AMENDMENT TO CONSTRUCTION PERMIT

Construction Permit CPPR-103
Amendment No. 1

Pursuant to a Decision (ALAB-258) by the Atomic Safety and Licensing Appeal Board dated February 3, 1975, the Nuclear Regulatory Commission has amended paragraph 3.D(4) of Construction Permit CPPR-103 to read as follows:

- (4) With respect to Waterford Unit No. 3 and any future nuclear generating plant or unit of the applicant, or any plant or unit in which the applicant may acquire an interest in Louisiana, any entity that expresses an interest in participation will be offered (1) for Waterford Unit No. 3 and for any future nuclear generating plant or unit of the applicant, the opportunity to have access* to a portion of the plant or unit capacity, or (2) with respect to any plant or unit in which the applicant may acquire an interest, the opportunity to have access* to a portion of the plant or unit capacity to the extent the applicant is able; in either event, upon the basis of a rate that will recover to the applicant the average fixed costs (including a reasonable return) of the

*"The opportunity to have access" shall be for a period of one year after the applicant has provided to each enquiring entity financial data, which in the opinion of the Regulatory staff of the Commission is sufficient to enable such entity to make a feasibility study as to participation. The applicant shall provide such financial data as soon as reasonably feasible after receiving an inquiry. As to any entity or some or all entities in Louisiana the applicant can start the running of the aforesaid one year period by supplying to it or them, without waiting for an inquiry, the aforesaid financial data.



plant or unit or the applicant's interest in any plant or unit.** The entity receiving such power will pay the associated energy, maintenance, and operating costs incurred for the power it receives. In connection with this access, the applicant will also offer transmission service to the geographic extent of its then existing transmission system for delivery of such power to such purchasing entity on a basis that will fully compensate the applicant for its transmission costs (including a reasonable return).

In the event that the law of Louisiana should be changed to the extent that property owned jointly is not susceptible to partition and that such joint ownership is not otherwise an impediment to financing, the Company must, in accordance with the provisions of its Commitment 4, offer joint ownership in any future nuclear generating plant or unit owned by it (or in which it may acquire an interest in Louisiana) to any entity requesting such access.

In the event that during the term of the instant license, or any extension or renewal thereof, the applicant participates in the ownership of or obtains rights to, and obligations in, a portion of the output of one or more nuclear generating units constructed, owned or operated by an affiliate or subsidiary of the Middle South Utilities System other than the applicant or by any successor in title to the Waterford Nuclear Unit, the applicant shall exert its best efforts to obtain participation in such nuclear unit by an entity(ies) in the State of Louisiana requesting such participation on terms equivalent to the terms of the applicant's participation therein. In connection with such participation, the applicant will also offer transmission service to the geographic extent of its then existing transmission system for delivery of such power to such purchasing entity on a basis that will fully compensate the applicant for its transmission cost (including a reasonable return).

**Nothing herein shall be deemed to exclude the participation of an entity through a prepaid unit power basis should such participation be economically, technically and legally feasible. Moreover, nothing herein shall be deemed to exclude participation of an entity on a joint venture basis in Waterford Unit 3 if the Company shall in its sole discretion decide to enter into such a joint venture.

For the purposes of this paragraph, any person who would otherwise qualify as an "entity" except for the lack of a physical interconnection with the applicant shall be considered an "entity" if that person is or will be interconnected with an "entity" or member of the Southwest Power Pool which is interconnected with the applicant.

This amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Voss A. Moore

Voss A. Moore, Assistant Director
for Light Water Reactors, Group 2
Division of Reactor Licensing

Date of Issuance:

FEB 25 1975

UNITED STATES NUCLEAR REGULATORY COMMISSION

LOUISIANA POWER & LIGHT COMPANY

WATERFORD STEAM ELECTRIC STATION, UNIT 3

DOCKET NO. 50-382

NOTICE OF ISSUANCE OF AMENDMENT TO CONSTRUCTION PERMIT

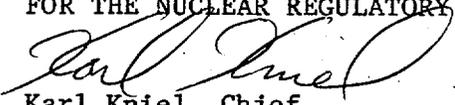
Notice is hereby given that, pursuant to a Decision (ALAB-258) dated February 3, 1975, by the Atomic Safety and Licensing Appeal Board, the Nuclear Regulatory Commission has issued Amendment No. 1 to Construction Permit No. CPPR-103 issued to Louisiana Power & Light Company for construction of the Waterford Steam Electric Station, Unit 3, located in St. Charles Parish, Louisiana.

The amendment clarifies the conditions under which joint ownership in a nuclear generating plant must be offered to other entities by the permit holder.

A copy of the Decision dated February 3, 1975, Amendment No. 1 to Construction Permit No. CPPR-103, and other related documents are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C., and at the Boutee Branch of the St. Charles Parish Library, St. Anthony Street, Luling, Louisiana 70070. Single copies of the Decision and Amendment No. 1 to CPPR-103 may be obtained by writing the U.S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 25th day of February 1975.

FOR THE NUCLEAR REGULATORY COMMISSION


Karl Kniel, Chief
Light Water Reactors Branch 2-2
Division of Reactor Licensing