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DEC 30 1983

Docket Nos.: 50-445  
and 50-446

Mr. R. J. Gary  
Executive Vice President and  
General Manager  
Texas Utilities Generating Company  
2001 Bryan Tower  
Dallas, Texas 75201

Dear Mr. Gary:

Subject: Amendment No. 7 to Construction Permits CPPR-126 & CPPR-127 -  
Comanche Peak Steam Electric Station, Units 1 and 2

LB#1 Rdg BPCotter, AS&LBP  
SBurwell ARosenthal, ASLAP  
MRushbrook ACRS (10)  
BJYoungblood FPagano, I&E  
MRothschild, OELD  
OELD  
JRutberg, OELD  
AToalston, DE  
ELJordan, DEQA:IE  
JMTaylor, DRP:IE  
JSouder  
WMiller  
IDinity  
WJones, OA  
TBarnhart (4 per docket)

Your letter, dated August 2, 1983, requested amendments to Construction Permits CPPR-126 and CPPR-127 for the Comanche Peak Steam Electric Station, Units 1 and 2 to reflect a corporate reorganization.

The Commission issued a final rule on March 24, 1982, amending the Commission's regulations to eliminate requirements with respect to financial qualifications for power reactor applicants. Therefore, the staff is no longer evaluating the financial qualifications of the applicants as they relate to the proposed action, on the basis of the final rule published in the FEDERAL REGISTER on March 31, 1982, and effective on that date.

We have reviewed the application to merge companies and to transfer ownership shares. We find that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I.

Further, we conclude that granting the requested amendments does not involve a significant hazards consideration, and is not inimical to the health and safety of the public. The bases for these conclusions are set forth in the enclosed Safety Evaluation. Prior public notice of the amendments were not required since the amendments do not involve a significant hazards consideration.

We have also concluded that the amendments involve actions which are insignificant from the standpoint of environmental impact and that, pursuant to 10 CFR Section 51.5(d) (4), an environmental impact statement, or a negative declaration and an environmental impact appraisal, need not be prepared in connection with the issuance of the amendments.

DEC 30 1983

Enclosed are Amendments No. 7 to CPPR-126 and CPPR-127 and a copy of a related notice which has been forwarded to the Office of the Federal Register for publication. The related notice also reflects the fact that on January 1, 1984, effective with the reorganization, all rights and obligations of Dallas Power & Light Company, Texas Electric Service Company and Texas Power & Light Company will become the rights and obligations of the successor corporation, Texas Utilities Electric Company. In accordance with your commitment dated December 23, 1983, you will be filing an amendment to your application for an Operating License by January 27, 1984 which will reflect this reorganization.

Sincerely,

*Original*

Darrell G. Eisenhut, Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 7 to CPPR-126 & CPPR-127
2. Staff Safety Evaluation
3. Federal Register Notice

cc: See next page

\*See Previous Concurrences:

*DL:LB#1 MRushbrook:es 12/1/83	*DL:LB#1 SBurwell 12/01/83	*D/E AToalston 12/1/83	*OELD JRutberg 12/9/83	*OELD MKarman 12/9/83	DL:LB#1 BJYoungblood 12/9/83
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ADPH  
TMM/vak  
12/29/83

DL  
DGEisenhut  
12/30/83

Enclosed are Amendments No. 7 to CPPR-126 and CPPR-127 and a copy of a related notice which has been forwarded to the Office of the Federal Register for publication. The related notice also reflects the fact that on January 1, 1984, effective with the reorganization, all rights and obligations of Dallas Power & Light Company, Texas Electric Service Company and Texas Power & Light Company will become the rights and obligations of the successor corporation, Texas Utilities Electric Company.

Sincerely,

Darrell G. Eisenhut, Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 7 to  
CPPR-126 & CPPR-127
2. Staff Safety Evaluation
3. Federal Register Notice

cc: See next page

CONCURRENCES:

DL:LB#1  
MRushbrook:es  
12/1/83

*S.B. Burwell*  
DL:LB#1  
SBurwell  
12/01/83

*D.E. AToalston*  
DL:LB#1  
AToalston  
12/1/83

*J. Rutberg*  
OELD  
JRutberg  
12/6/83

*M. L. Youngblood*  
OELD  
M. L. Youngblood  
12/9/83

DL:LB#1  
BJYoungblood  
12/ /83

AD/DL  
TMNovak  
12/ /83

DL  
DGEisenhut  
12/ /83

TEXAS UTILITIES ELECTRIC COMPANY

TEXAS MUNICIPAL POWER AGENCY

BRAZOS ELECTRIC POWER COOPERATIVE, INC.

TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.

DOCKET NO. 50-445

COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 1

CONSTRUCTION PERMIT

Amendment No. 7

Construction Permit No. CPPR-126

1. The Nuclear Regulatory Commission (the Commission) having found that:
  - A. The application for amendment to Construction Permit No. CPPR-126 transmitted by Texas Utilities Generating Company (now Texas Utilities Electric Company) letter dated August 2, 1983, for the purpose of amending Construction Permit CPPR-126 to reflect a corporate reorganization of ownership of the Comanche Peak Steam Electric Station, Unit 1 (the facility) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The Texas Utilities Electric Company is not required to submit financial qualification information in accordance with 10 CFR 50.33(f).
  - C. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - D. Issuance of this amendment will not result in any environmental impacts not previously considered.
2. Accordingly, Construction Permit No. CPPR-126 is amended to reflect a change in the ownership of the facility, as follows:
  - A. All references to applicants shall delete Dallas Power & Light Company, Texas Power and Light Company, Texas Electric Service Company, and Texas Utilities Generating Company and replace these with Texas Utilities Electric Company.
  - B. Paragraph 2 is amended by changing "Texas Utilities Generating Company" to "Texas Utilities Electric Company."
  - C. Paragraph 3.F is amended to read as follows:

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"F. The ownership interests of the applicants shall be as follows:

Texas Utilities Electric Company	87 5/6%
Texas Municipal Power Agency	6 1/5%
Brazos Electric Power Cooperative, Inc.	3 4/5%
Tex-La Electric Cooperative of Texas, Inc.	2 1/6%

3. This amendment is effective as of January 1, 1984.

For the Nuclear Regulatory Commission

Original signed by  
Darrell G. Eisenhower

Darrell G. Eisenhower, Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

OFFICE	DL:LB#1	DL:LB#1	D/E	DL:LB#1	DL:LB#1	AD/	DL
SURNAME	MR. Brook:es	SBurwell	Afoaltson	BJYoungblood	TJNovak	DGEisenhut	
DATE	11/1/83	11/1/83	12/1/83	12/1/83	12/1/83	12/1/83	12/1/83

TEXAS UTILITIES ELECTRIC COMPANY

TEXAS MUNICIPAL POWER AGENCY

BRAZOS ELECTRIC POWER COOPERATIVE, INC.

TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.

DOCKET NO. 50-446

COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 2

CONSTRUCTION PERMIT

Amendment No. 7

Construction Permit No. CPPR-127

1. The Nuclear Regulatory Commission (the Commission) having found that:
  - A. The application for amendment to Construction Permit No. CPPR-127 transmitted by Texas Utilities Generating Company (now Texas Utilities Electric Company) letter dated August 2, 1983, for the purpose of amending Construction Permit CPPR-127 to reflect a corporate reorganization of ownership of the Comanche Peak Steam Electric Station, Unit 1 (the facility) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The Texas Utilities Electric Company is not required to submit financial qualification information in accordance with 10 CFR 50.33(f).
  - C. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - D. Issuance of this amendment will not result in any environmental impacts not previously considered.
2. Accordingly, Construction Permit No. CPPR-127 is amended to reflect a change in the ownership of the facility, as follows:
  - A. All references to applicants shall delete Dallas Power & Light Company, Texas Power and Light Company, Texas Electric Service Company, and Texas Utilities Generating Company and replace these with Texas Utilities Electric Company.
  - B. Paragraph 2 is amended by changing "Texas Utilities Generating Company" to "Texas Utilities Electric Company."
  - C. Paragraph 3.F is amended to read as follows:

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DATE ▶

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USGPO: 1981-335-960

"F. The ownership interests of the applicants shall be as follows:

Texas Utilities Electric Company	87 5/6%
Texas Municipal Power Agency	6 1/5%
Brazos Electric Power Cooperative, Inc.	3 4/5%
Tex-La Electric Cooperative of Texas, Inc.	2 1/6%

3. This amendment is effective as of January 1, 1984.

For the Nuclear Regulatory Commission

Original signed by  
Darrell G. Eisenhower

Darrell G. Eisenhower, Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

OFFICE	DL:LB#1	DL:LB#1	D/E	OELD	DL:LB#1	DL	DL
SURNAME	MRushbrook:es	SBurwell	Atol tson	M. F. ARMAN	B. J. Youngblood	W. W. W. W.	D. G. Eisenhower
DATE	12/1/83	12/21/83	12/1/83	12/1/83	12/1/83	12/1/83	12/1/83

Safety Evaluation

DEC 29 1983

Supporting Amendments No. 7 to CPPR-126 and CPPR-127

Introduction

The Nuclear Regulatory Commission (NRC) authorized the construction of the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2 by issuing Construction Permits No. CPPR-126 and CPPR-127 to Texas Utilities Generating Company (TUGCO), Dallas Power & Light Company (DP&L), Texas Electric Service Company (TESCO), and Texas Power and Light (TP&L). Subsequently, the construction permits were amended to include the Texas Municipal Power Agency (TMPA), Brazos Electric Power Cooperative, Inc. (BEPC), and the Tex-La Electric Cooperative of Texas, Inc. (Tex-La) as co-owners.

By letter, dated August 2, 1983, TUGCO requested that the construction permits be amended to reflect a corporate reorganization which consolidates TESCO, TP&L, and DP&L into a new entity named Texas Utilities Electric Company (TUEC). In addition, the plant operation functions and TUGCO personnel and plant engineering functions and personnel of Texas Utilities Services, Inc. (TUSI) will be transferred into a separate division of TUEC.

Entitlement to output will correspond to ownership shares which will be as follows:

TUEC	87 5/6%
TMPA	6 1/5%
BEPC	3 4/5%
Tex-La	2 1/6%

This safety evaluation is issued in support of Amendments No. 7 to CPPR-126 and CPPR-127. It will address the resultant changes or lack of changes in the following:

1. The design of the facility or requirements for safety-related information.
2. The financial qualifications of the applicants.
3. The conclusion concerning the common defense and security.
4. The conclusions concerning the health and safety of the public.

Evaluation

Design of the Facility

The staff has reviewed the application for amendments submitted by letter, dated August 2, 1983 and finds no information which leads the staff to conclude that the requested amendments to the construction permits will result in design changes to the facility. The staff noted that the letter states "...the proposed amendments are pro forma, administrative in nature and have no safety or environmental significance---" the staff interprets this to be a statement of the applicants intent regarding the requested action.

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DEC 29 1983

The staff has also reviewed the reorganization submitted by the letter of August 2, 1983 and finds no information which leads us to conclude that the requested amendments to construction permits will result in design changes to the facility. In addition, TUGCO stated in the August 2, 1983 letter that the reorganization will not affect the present staffing or corporate channels of responsibility for CPSES.

On the basis of its review of the applications for amendment, the staff concludes that the proposed reorganization will not result in any safety-significant design changes to the facility. Further, the staff finds that its conclusions in Section 21.0 of the Safety Evaluation Report (SER), issued September 1974 on the CPSES will not be altered by the issuance of the requested amendments.

#### Financial Qualifications of the Applicant

Texas Utilities Electric Company will perform the utility functions of DP&L, TESCO and TP&L including filing rate cases with the Public Utility Commission of Texas to recover the costs of the generation of electricity. Therefore, TUEC is an electric utility as defined in 10 CFR 50.2 (x) and information regarding financial qualifications need not be provided in accordance with 10 CFR 50.33 (f).

#### Common Defense and Security

The application states that TUEC is not owned, controlled, or dominated by an alien, foreign corporation, or a foreign government. It further states that all of the principal officers are citizens of the United States. The applicant also agrees, in the application for amendment, that it will not allow any individual to have access to Restricted Data until the appropriate federal agencies have made an investigation and report to the NRC on the character, associations, and loyalty of such individual and the NRC has determined that permitting such person to have access to the information will not endanger the common defense and security. Based on the above statement and agreement, the staff concludes that the issuance of the requested amendments to the construction permits will not be inimical to the common defense and security. Further, the staff finds that its conclusions (7) regarding common defense and security in Section 21.0 of the Safety Evaluation Report for Comanche Peak Steam Electric Station, Units 1 and 2 issued September 1974 will not be altered by the issuance of the requested amendments to the construction permits.

#### Health and Safety of the Public

Because the amendments do not result in any safety-significant design changes to the facility and the present staffing and corporate channels of responsibility remain the same for CPSES, the staff concludes that the proposed amendments will not result in any changes to the conclusion in Section 21.0 of the September 1974 SER.

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DEC 29 1983

Summary of the Safety Evaluation

The staff has reviewed the impact on safety considerations of amending Construction Permits CPPR-126 and CPPR-127 to reflect a corporate reorganization to consolidate TESCO, TP&L, and DP&L into Texas Utilities Electric. Based on its review, the staff has concluded that:

1. The requested amendments do not result in safety-significant design changes to the facility;
2. The technical qualifications of the applicants will not be diminished;
3. The proposed organization is not required to submit financial qualification information; and
4. The requested amendments will not endanger the common defense and security.

Based on the considerations discussed above the staff has concluded that: (1) because the amendments do not involve a significant increase in the probability or consequences of accidents previously considered; do not create the possibility of an accident of a type different from any previously evaluated; and do not involve a significant decrease in a safety margin, the amendments do not involve a significant hazards consideration, (2) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (3) such activities will be in compliance with the Commission's regulations and the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

151  
Spottswood B. Burwell, Project Manager  
Licensing Branch No. 1  
Division of Licensing

151  
B. J. Youngblood, Chief  
Licensing Branch No. 1  
Division of Licensing

OFFICE	DL:LB#1	DL:LB#1					
SURNAME	SBurwell:es	BJYoungblood					
DATE	11/01/83	11/13/83					

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NOS. 50-445 AND 50-446

TEXAS UTILITIES ELECTRIC COMPANY

TEXAS MUNICIPAL POWER AGENCY

BRAZOS ELECTRIC POWER COOPERATIVE, INC.

TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.

NOTICE OF ISSUANCE OF AMENDMENTS TO CONSTRUCTION PERMITS

Notice is hereby given that the U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 7 to Construction Permit Nos. CPPR-126 and CPPR-127. The amendments reflect corporation reorganization of the Texas Utilities Company (TUCO) and ownership interest of the co-permittees of the Comanche Peak Steam Electric Station, Units 1 and 2 as follows:

Present

*Texas Electric Service Co. (TESCO)	35 5/6%
*Texas Power & Light (TP&L)	33 2/3%
*Dallas Power & Light (DP&L)	18 1/3%
Texas Municipal Power Agency (TMPA)	6 1/5%
Brazos Electric Power Cooperative (BEPC)	3 4/5%
Tex-La Electric Cooperative of Texas, Inc. (Tex-La)	2 1/6%

\*TESCO, TP&L, and DP&L are subsidiaries of TUCO.

\*\*Effective January 1, 1984:

Texas Utilities Electric Company (TUEC)	87 5/6%
Texas Municipal Power Agency (TMPA)	6 1/5%
Brazos Electric Power Cooperative (BEPC)	3 4/5%
Tex-La Electric Cooperative of Texas, Inc. (Tex-La)	2 1/6%

\*\*Effective with the reorganization and as a matter of Texas law, all rights and obligations of DP&L, TESCO and TP&L will become the rights and obligations of the successor corporation, TUEC.

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The amendments are effective as of January 1, 1984 when the reorganization will become effective.

The application for the amendments comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the amendments. Prior public notice of the amendments were not required since the amendments do not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendments, dated August 2, 1983; (2) Amendment No. 7 to Construction Permits CPPR-126 & CPPR-127, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection in the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C., 20555, and at the Somervell County Public Library, On the Square, P. O. Box 417, Glen Rose, Texas 76403. Items 2 and 3 may be requested by writing to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 29<sup>th</sup> day of December, 1983.

FOR THE NUCLEAR REGULATORY COMMISSION

*15/*  
B. J. Youngblood, Chief  
Licensing Branch No. 1  
Division of Licensing

\*See Previous Concurrences

OFFICE	*DL:LB#1	*DL:LB#1	*DL:LB#1				
SURNAME	MRushbrook:es	SBurwell:es	BJYoungblood				
DATE	12/1/83	12/1/83	12/29/83				

The amendments are effective as of January 1, 1984 when the reorganization will become effective.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the amendments. Prior public notice of the amendments were not required since the amendments do not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendments, dated August 2, 1983; (2) Amendment No. 7 to Construction Permits CPPR-126 & CPPR-127, (3) the Commission's related Safety Evaluation. All of these items are available for public inspection in the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C, 20555, and at the Somervell County Public Library, On the Square, P. O. Box 417, Glen Rose, Texas 76403. Items 2 and 3 may be requested by writing to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this                      day of                      1983.

FOR THE NUCLEAR REGULATORY COMMISSION

B. J. Youngblood, Chief  
Licensing Branch No. 1  
Division of Licensing

OFFICE	DL:LB#1	DL:LB#1	DL:LB#1				
SURNAME	MR. Youngblood	MR. Burwell	MR. Youngblood				
DATE	12/1/83	12/1/83	12/1/83				