

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	Docket Nos. 50-344
PORTLAND GENERAL ELECTRIC COMPANY))	
)	and 72-17
(Trojan Nuclear Plant and ISFSI))	

ORDER RESCINDING THE PROPOSED SALE OF PORTLAND GENERAL ELECTRIC
COMPANY (PGE) TO OREGON ELECTRIC UTILITY COMPANY (OEUC), AND THE
ASSOCIATED INDIRECT TRANSFER OF PGE'S LICENSES TO OEUC

I.

Portland General Electric Company (PGE or the licensee) owns a 67.5 percent interest in the Trojan Nuclear Plant (TNP) located on the west bank of the Columbia River in Columbia County, Oregon, and in connection with that interest holds Facility Operating License No. NPF-1, issued by the U.S. Nuclear Regulatory Commission (NRC), pursuant to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 50) on November 21, 1975. In May 1993, the TNP license was amended to a possession-only license, and in April 1996, NRC authorized the decommissioning of TNP. PGE also owns a 67.5 percent interest in the TNP Independent Spent Fuel Storage Installation (ISFSI) and holds Materials License No. SNM-2509 for the TNP ISFSI. PGE is currently a wholly owned subsidiary of Enron Corporation (Enron), which owns 100 percent of PGE's voting stock, and PGE is a registered public utility holding company under the Public Utility Holding Company Act of 1935. PacifiCorp and the Eugene Water and Electric Board own the remaining 2.5 percent and 30 percent interests, respectively, in TNP.

II.

NRC approved PGE's application dated June 14, 2004, Agencywide Documents Access and Management System (ADAMS) [Accession Nos. ML041700579 and ML041700583], with supplemental information dated September 29, 2004 (ADAMS Accession No. ML042810230), and December 9, 2004 (ADAMS Accession No. ML0435202360), for the proposed sale of PGE to Oregon Electric Utility Company (OEUC) and the associated indirect transfer of control of PGE's licenses for the TNP and the Trojan ISFSI to OEUC, on February 14, 2005 (ADAMS Accession No. ML043570384).

Since issuance of the NRC Order, the Oregon Public Utility Commission (OPUC) denied the application made to the OPUC requesting its approval of the proposed purchase of PGE's outstanding common stock by OEUC. The OPUC denial led to the execution of a mutual agreement between Enron and OEUC on April 6, 2005, to terminate the Stock Purchase Agreement. On April 20, 2005, PGE notified NRC that the Stock Purchase Agreement between Enron and OEUC had been terminated. Given the execution of the Termination Agreement, PGE is no longer requesting the indirect transfer of the TNP and the Trojan ISFSI licenses.

III.

Accordingly, pursuant to Sections 161b, 161i, 161o, and 184 of the Atomic Energy Act of 1954, as amended, 42 USC §§ 2201(b), 2201(i), 2201(o), and 2234, 10 CFR 50.80, and 10 CFR 72.50, IT IS HEREBY ORDERED that the February 14, 2005, Order approving of the indirect license transfers referenced above is rescinded.

This Order is effective upon issuance.

IV.

For further details with respect to this Order, see the initial application, dated June 14, 2004; the supplements thereto dated September 29, 2004, and December 9, 2004; the safety evaluation dated December 15, 2004 (ML043500167); and the Notification of Termination of the Stock Purchase Agreement dated April 20, 2005 (ML051170265). Please note that on October 25, 2004, NRC suspended public access to ADAMS, and initiated an additional security review of publicly available documents, to ensure that potentially sensitive information is removed from the ADAMS database accessible through NRC's web site. Interested members of the public may obtain copies of the referenced documents for review and/or copying by contacting the Public Document Room, pending resumption of public access to ADAMS. The NRC Public Document Room is located at NRC Headquarters in Rockville, Maryland, and can be contacted at 800-397-4209, or 301-415-4737, or pdr@nrc.gov.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Margaret Federline, Acting Director
Office of Nuclear Material Safety
and Safeguards

Dated at Rockville, Maryland, this 21st day of July 2005.

IV.

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Margaret Federline, Acting Director
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Dated at Rockville, Maryland, this 21st day of July 2005.

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*See previous concurrence

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