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John T. Herron
Senior Vice President and
Chief Operating Officer

January 16, 2006

Re: Indian Point Units 2 & 3
Dockets 50-247 & 50-286
NL-06-010

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Subject: Draft Confirmatory Order for Emergency Notification System Backup Power

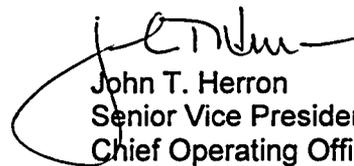
Reference: NRC letter, J. E. Dyer to M. R. Kansler, "Draft Confirmatory Order Modifying License to Require Backup Power for the Emergency Notification System for Indian Point Nuclear Generating Unit Nos. 2 and 3", dated January 5, 2006.

Dear Sir or Madam:

Entergy Nuclear Operations, Inc (Entergy) is submitting the Consent and Hearing Waiver Form as requested in the referenced transmittal letter for the subject draft order. This consent is contingent upon the proposed wording changes, provided in Attachment 1, to clarify certain provisions of the order as discussed in a telephone conference with NRC and FEMA staff on January 13, 2006.

Entergy understands that commitments will become effective when the final order is issued by NRC. If you have any questions, please contact Ms. Charlene Faison at 914-272-3378.

Very truly yours,


John T. Herron
Senior Vice President and
Chief Operating Officer
Entergy Nuclear Operations, Inc.

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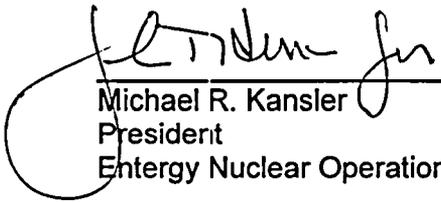
A001

cc:

Mr. John Boska, NRR Senior Project Manager
Mr. Samuel J. Collins, Regional Administrator, Region 1
IPEC NRC Resident Inspector's Office
Mr. Paul Eddy, NYS Department of Public Service

Consent and Hearing Waiver Form

Entergy Nuclear Operations, Inc. (Entergy), hereby agrees with the attached Confirmatory Order which will be effective immediately upon issuance, and to those commitments described therein. Entergy recognizes that by signing below, it consents to the issuance of the Confirmatory Order, effective immediately and by doing so, pursuant to 10 CFR 2.202(a)(3) and (d), waives the right to request a hearing on all or any part of the Confirmatory Order.

A handwritten signature in black ink, appearing to read "Michael R. Kansler", is written over a horizontal line. The signature is stylized and cursive.

Michael R. Kansler
President
Entergy Nuclear Operations, Inc.

January 16, 2006
Date

The Consent Form provided in this letter is contingent upon the following proposed wording changes to clarify certain provisions of the order as discussed with NRC and FEMA staff during a telephone conference on January 13, 2006.

Reference Section	Proposed Clarification
Order Page 2, Section II, Item (d)	<p>Revise: "(d) an automatic notification must be made to both the Licensee and the cognizant government official(s) in the affected jurisdiction upon the occurrence of any loss of power in the system."</p> <p>to read: "(d) an automatic notification must be made to the Licensee in sufficient time to take compensatory action before the backup power supply is exhausted upon occurrence of an unplanned loss of power. In addition, indication of the loss of power must be automatically provided to the appropriate government agency(ies)."</p>
Order Page 4, Section IV, Para II.A.5	<p>Revise: "There shall be a feedback system(s) that provides an automatic notification to both the licensee and the cognizant government official(s) in the affected jurisdiction upon the occurrence of any loss of power in the system."</p> <p>to read: "There shall be a feedback system(s) that provides an automatic notification to the Licensee in sufficient time to take compensatory action before the backup power supply is exhausted upon occurrence of an unplanned loss of power. In addition, indication of the loss of power shall be automatically provided to the appropriate government agency(ies)."</p>
Order Page 5, Section IV, Para II.C.3	<p>Revise: "...ability of the backup power supply to meet its design requirements."</p> <p>to read: "...ability of the backup power supply to meet its functional requirements."</p>
Order Page 5, Section IV, Para II.C.5	<p>Revise: "...with a 97% overall entire EPZ success rate with no individual county failure rate greater than 10% and with no false negative reports on the feedback system for each individual test."</p> <p>to read: "with a 97% overall entire EPZ success rate with no individual county failure rate greater than 10%. A false negative report from a feedback system will constitute a failure for the purposes of this test."</p>