November 3, 2006

Mr. Paul A. Harden
Site Vice President
Nuclear Management Company, LLC
Palisades Nuclear Plant
27780 Blue Star Memorial Highway
Covert, MI 49043-9530

SUBJECT: NOTICE OF CONSIDERATION OF APPROVAL OF TRANSFER OF FACILITY OPERATING LICENSE AND CONFORMING AMENDMENT, AND OPPORTUNITY FOR A HEARING - PALISADES NUCLEAR PLANT (TAC NO. MD2954)

Dear Mr. Harden:

Enclosed is a copy of a "Notice of Consideration of Approval of Transfer of Facility Operating License and Conforming Amendment, and Opportunity for a Hearing" related to the application dated August 31, 2006, filed by Consumers Energy Company (Consumers), Nuclear Management Company, LLC (NMC), Entergy Nuclear Palisades, LLC (Entergy Nuclear Palisades), and Entergy Nuclear Operations, Inc. (ENO). The application (pursuant to 10 CFR 50.80) seeks approval of the proposed transfer of Facility Operating License No. DPR-20 for Palisades Nuclear Plant (Palisades) from Consumers, the current holder of the license, and NMC, as licensed operator of Palisades, to Entergy Nuclear Palisades to possess and own, and ENO to possess, use, and operate Palisades. The application also seeks (pursuant to 10 CFR 50.90) the issuance of conforming amendments to the license to reflect the transfer.

This notice is being forwarded to the Office of the *Federal Register* for publication.

Sincerely,

/RA/

L. Mark Padovan, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-255

Enclosure:
Notice

cc w/encl: See next page

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Site Vice President
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Covert, MI 49043-9530

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Office	LPL3/1/PM	LPL3-1/LA	OGC	LPL3-1BC
Name	LPadovan:***ca***	THarris		LRghavan
Date	10/31/06	10/31/06	11/2/06	11/3/06

OFFICIAL RECORD COPY

Palisades Plant

cc:

Robert A. Fenech, Senior Vice President
Nuclear, Fossil, and Hydro Operations
Consumers Energy Company
1945 Parnall Rd.
Jackson, MI 49201

Arunas T. Udrys, Esquire
Consumers Energy Company
1 Energy Plaza
Jackson, MI 49201

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
Suite 210
2443 Warrenville Road
Lisle, IL 60532-4351

Supervisor
Covert Township
P. O. Box 35
Covert, MI 49043

Office of the Governor
P. O. Box 30013
Lansing, MI 48909

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
Palisades Plant
27782 Blue Star Memorial Highway
Covert, MI 49043

Michigan Department of Environmental Quality
Waste and Hazardous Materials Division
Hazardous Waste and Radiological
Protection Section
Nuclear Facilities Unit
Constitution Hall, Lower-Level North
525 West Allegan Street
P.O. Box 30241
Lansing, MI 48909-7741

Michigan Department of Attorney General
Special Litigation Division
525 West Ottawa St.
Sixth Floor, G. Mennen Williams Building
Lansing, MI 48913

Michael B. Sellman
President and Chief Executive Officer
Nuclear Management Company, LLC
700 First Street
Hudson, MI 54016

Jonathan Rogoff, Esquire
Vice President, Counsel & Secretary
Nuclear Management Company, LLC
700 First Street
Hudson, WI 54016

Douglas E. Cooper
Senior Vice President and
Chief Nuclear Officer
Nuclear Management Company, LLC
700 First Street
Hudson, WI 54016

Stephen T. Wawro, Director
of Nuclear Assets
Consumers Energy Company
Palisades Nuclear Plant
27780 Blue Star Memorial Highway
Covert, MI 49043

Laurie A. Lahti, Manager
Regulatory Affairs
Nuclear Management Company, LLC
Palisades Nuclear Plant
27780 Blue Star Memorial Highway
Covert, MI 49043

7590-01-P

UNITED STATES NUCLEAR REGULATORY COMMISSION

NUCLEAR MANAGEMENT COMPANY

PALISADES NUCLEAR PLANT

DOCKET NO. 50-255

NOTICE OF CONSIDERATION OF APPROVAL OF TRANSFER OF FACILITY OPERATING LICENSE AND CONFORMING AMENDMENT AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 50.80 approving the transfer of Facility Operating License No. DPR-20 for Palisades Nuclear Plant (Palisades) currently held by Consumers Energy Company (Consumers) and Nuclear Management Company, LLC (NMC), as licensed operator of Palisades. The transfer would be to Entergy Nuclear Palisades, LLC (Entergy Nuclear Palisades). The Commission is also considering amending the license for administrative purposes to reflect the proposed transfer.

According to an application for approval filed by Consumers, NMC, Entergy Nuclear Palisades, and ENO, Entergy Nuclear Palisades would acquire ownership of the facility following approval of the proposed license transfer, and ENO would possess, use, and operate Palisades. No physical changes to the Palisades facility or operational changes are being proposed in the application.

The proposed amendment would replace references to Consumers and NMC in the license with references to Entergy Nuclear Palisades and ENO to reflect the proposed transfer, and revise paragraph 1. B to be consistent with paragraph 2 regarding the disposition of the Provisional Operating License.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. The Commission will approve an application for the transfer of a license,

if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

Before issuance of the proposed conforming license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which does no more than conform the license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

Within 20 days from the date of publication of this notice, any person whose interest may be affected by the Commission's action on the application may request a hearing and, if not the applicant, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart C "Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings," of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.309. Untimely requests

and petitions may be denied, as provided in 10 CFR 2.309(c)(1), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.309(c)(1)(i)-(viii).

Requests for a hearing and petitions for leave to intervene should be served upon Douglas E. Levanway, Wise, Carter, Child, and Caraway, P.O. Box 651, Jackson, MS 39205, 601-968-5524, Facsimile: 601-968-5593, Email: DEL@wisecarter.com, and Sam Behrends, LeBoeuf, Lamb, Greene & MacRae, 1875 Connecticut Ave., NW, Suite 1200 Washington, DC 20009, 202-986-8108, Facsimile: 202-986-8102, Email: Sbehrend@llgm.com; the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 (e-mail address for filings regarding license transfer cases only: OGCLT@NRC.gov); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.302 and 2.305.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the FEDERAL REGISTER and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, within 30 days from the date of publication of this notice, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this FEDERAL REGISTER notice.

For further details with respect to this action, see the application dated August 31, 2006, available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC web site, http://www.nrc.gov/reading-rm/adams.html. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737 or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland this 3rd day of November 2006. .

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

L. Mark Padovan, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation