



# Luminant

**Thomas P. McCool**  
Site Vice President  
Thomas.McCool@Luminant.com

**Luminant Power**  
P O Box 1002  
6322 North FM 56  
Glen Rose, TX 76043

**T** 254 897 6042  
**C** 817 776 0308  
**F** 254 897 6652

CP-201600932  
TXX-16109

Ref: 10 CFR 50.80  
10 CFR 50.90  
10 CFR 72.50

September 16, 2016

U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Director, Office of Nuclear Reactor Regulation  
Washington, DC 20555-0001

**SUBJECT:** Comanche Peak Nuclear Power Plant (CPNPP) and Independent Spent Fuel Storage Installation (ISFSI), Docket Nos. 50-445, 50-446, 72-74  
Information Regarding NRC Order Approving Transfer of Licenses and Conforming License Amendments (CPNPP Unit 1 Operating License (NPF-87) and CPNPP Unit 2 Operating License (NPF-89)) (CAC NOS. MF7075 and MF7076)

**REFERENCES:**

1. Luminant Power Letter logged TXX-15146 from Rafael Flores to the NRC dated November 12, 2015, Application for Order Approving Transfer of Licenses and Conforming License Amendments (CPNPP Unit 1 Operating License (NPF-87) and CPNPP Unit 2 Operating License (NPF-89)) (ML15320A093)
2. Comanche Peak Nuclear Power Plant, Unit Nos. 1 And 2 And Independent Spent Fuel Storage Installation - Order Approving Transfer of Licenses And Conforming Amendments (CAC NOS. MF7075 AND MF7076), dated May 6, 2016 (ML16096A255)

Dear Sir or Madam:

The purpose of this letter is to update the NRC regarding Texas Competitive Electric Holdings Company LLC's (the "Company's") planned emergence from bankruptcy. The Company anticipates receiving the remaining regulatory approvals from the Department of Justice/Federal Trade Commission and the Texas Railroad Commission in the near future and is targeting emergence from bankruptcy on or about October 3, 2016.

As specified in the NRC's order of May 6, 2016 (Reference 2), Luminant Generation Company LLC ("Luminant Power") will provide NRC further notices within five (5) business days of receipt of the last regulatory approval, and no later than seven (7) business days prior to planned emergence. At that time, also as required by the transfer Order, Luminant Power will supply to the NRC all remaining information regarding the licensees and their affiliates, including corporate names, forms, places of organization, and names and citizenship of directors and officers of the licensees and all parent companies. Conforming

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license amendment pages for Facility Operating License Nos. NPF-87 and NPF-89 updated to reflect final licensee names also will be provided at that time.

Consistent with the planned consolidation of several business units and obtaining multiple regulatory and other approvals, the implementation of the planned emergence has been an iterative process. In one aspect at emergence, the Company will not yet have fully implemented its internal employee reorganization as described in the Application of November 12, 2015 (Reference 1), as supplemented. Specifically, for payroll management reasons, the anticipated transfer of Comanche Peak Nuclear Power Plant ("CPNPP") operating organization personnel from Luminant Power to the new operator, TEX Operations Company LLC ("TEX OpCo") will not occur immediately at emergence. TEX OpCo is the final name for the previously identified operator company "Operating Company LLC (OpCo LLC)". The delayed transition of employer will not result in any substantive difference in the licensed operations at CPNPP.

As described in the Application, TEX OpCo will assume ultimate decision making authority with regard to CPNPP and will become the NRC-licensed operator of the facility at emergence from bankruptcy. The Board of Managers for TEX OpCo and key officers will be in place at the time of license transfer. In addition, consistent with Regulatory Issue Summary ("RIS") 01-06, for a period of time necessary to orderly effectuate the internal employee reorganization, certain key officers and senior managers related to CPNPP will be "dual-hatted" as officers and senior managers of both TEX OpCo and Luminant Power. TEX OpCo is an intermediate parent of Luminant Power. TEX OpCo and Luminant Power will enter into a services agreement by which Luminant Power will provide operation services (specifically, the CPNPP personnel) to TEX OpCo until such time the CPNPP operating organization can be transitioned into TEX OpCo in an orderly manner. The effect of this arrangement is exactly as described in the Application - specifically, the current CPNPP operating organization will continue, unchanged, under the control of the new operating licensee, TEX OpCo. These interim administrative measures provide additional assurance that the CPNPP workforce and leadership remain consistent. The statement from the original application remains unchanged: "Accordingly, there will be no change in management and technical qualifications. Furthermore, there will be no physical changes to the Facility and no changes in the day to day operations of CPNPP in connection with the proposed Transactions."

The difference in the anticipated employment status of the CPNPP personnel at emergence does not impact the technical or financial qualifications of the operating licensee, nor does it change any other basis for or condition of the NRC's prior license transfer approval. The change also has no effect on the transfer of CPNPP ownership to Comanche Peak Power Company, LLC (final name for previous placeholder name "Comanche Peak LLC (CP LLC)"). Consistent with RIS 01-06 and NRC practice with service arrangements at other licensed facilities, no NRC approval is necessary or required for this change. Luminant Power provides this notice only because the arrangement differs in some details described in the Application.

This letter contains no new regulatory commitments.

Attachment 1 provides the affidavit for Thomas P. McCool regarding the information provided by this letter.

If the NRC requires additional information concerning the enclosed application, please contact Thomas P. McCool, Site Vice President, Luminant Power, tel: (254) 897-6042 or e-mail (Thomas.McCool@Luminant.com).

Sincerely,

Luminant Generation Company LLC



Thomas P. McCool

Attachment    Affirmation of Thomas P. McCool

William M. Dean, Director, Office of Nuclear Reactor Regulation  
Kriss Kennedy, Region IV  
Margaret M. Watford, NRR  
Resident Inspectors, Comanche Peak

Mr. Robert Free  
Environmental Monitoring & Emergency Response Manager  
Texas Department of State Health Services  
Mail Code 1986  
P. O. Box 149347  
Austin TX, 78714-9347

Affirmation

I, Thomas P. McCool, being duly sworn, state that I am the Site Vice President for Comanche Peak Nuclear Power Plant, Luminant Generation Company LLC ("Luminant Power"), that I am authorized to sign and file this additional information in support of its "Application for Order Approving Transfer of Licenses and Conforming License Amendments," with the Nuclear Regulatory Commission on behalf of Luminant Power and its affiliates, and that the statements made and the matters set forth herein pertaining to Luminant Power and its affiliates are true and correct to the best of my knowledge, information, and belief.

Luminant Generation Company LLC



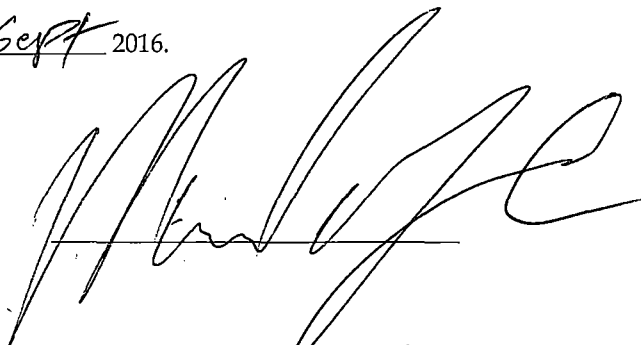
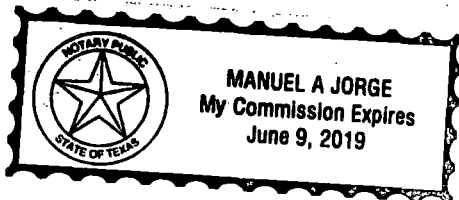
Thomas P. McCool  
Site Vice President

STATE OF TEXAS

COUNTY OF Tarrant

Subscribed and sworn to before me, a Notary Public, in and for the County and State

above named, this 16 day of Sept 2016.



My Commission Expires: 6-9-19