



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

OCT 10 1979

Docket No. 50-255

Consumers Power Company
ATTN: Mr. W. R. Boris
Executive Vice President
Accounting & Rates
212 West Michigan Avenue
Jackson, Michigan 49201

Gentlemen:

We are enclosing herewith an amendment to your indemnity agreement reflecting a change in 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements." The amendment to Part 140, which was effective on May 1, 1977, modifies the definition of "in the course of transportation" in Article I to include transportation outside the United States and supersedes the definition which included only transportation within the United States.

We would appreciate your indicating your acceptance of the amendment to your indemnity agreement in the space provided and returning one signed copy to us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerome Saltzman".

Jerome Saltzman, Chief
Antitrust and Indemnity Group
Office of Nuclear Reactor Regulation

Enclosure:
Amendment to Indemnity Agreement

INS
3

CB

7911010 419

Docket No. 50-255

AMENDMENT TO INDEMNITY AGREEMENT NO. B-40

AMENDMENT NO. 9

Effective May 1, 1977, Indemnity Agreement No. B-40 between Consumers Power Company and the Atomic Energy Commission, dated January 20, 1970, as amended, is hereby further amended by modifying the prefatory language of paragraph 5, Article I, to read as follows:

"In the course of transportation" means in the course of transportation within the United States, or in the course of transportation outside the United States and any other nation, including handling or temporary storage incidental thereto, of the radioactive material to the location or from the location provided that:

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

7s/ JEROME SALTZMAN

Jerome Saltzman, Chief
Antitrust & Indemnity Group
Office of Nuclear Reactor Regulation

Distribution:
Licensee (2 original)
Docket Files
PDR
LPDR
NSIC
ELD
Desk
Indemnity
IDinitz
AIG R/F

Accepted _____, 1979

By _____
CONSUMERS POWER COMPANY

OFFICE	NRR:AIG	NRR:AIG				
SURNAME	IDinitz:na	JSaltzman				
DATE	10/5/79	10/10/79				