

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
GULF STATES UTILITIES)	Docket No. 50-458
ENERGY CORPORATION)	(License No. NPF-47)
ENERGY OPERATIONS, INC.)	
)	
(River Bend Station, Unit 1))	

ORDER APPROVING TRANSFERS
AND NOTICE OF ISSUANCE
OF LICENSE AMENDMENTS

I.

On November 20, 1985, pursuant to 10 CFR Part 50, License No. NPF-47 was issued, under which Gulf States Utilities Company (GSU) is authorized to operate and hold a 70 percent ownership share in River Bend Station, Unit 1 (River Bend), which is located in West Feliciana Parish, Louisiana.

II.

In June 1992, GSU and Entergy Corporation (Entergy) entered into an agreement providing for the combination of the businesses of their companies. In accordance with the merger plan, GSU, following the merger, will continue to operate as an electric utility, but as a subsidiary of a new holding company to be named Entergy Corporation, with its electric operations fully integrated with those of the Entergy System. Upon consummation of the proposed business combination and subject to the receipt of the necessary approvals, Entergy Operations Inc. (EOI), on behalf of the owners, will assume operations and managerial responsibility for River Bend.

III.

To implement the business combination, GSU applied to the U.S. Nuclear Regulatory Commission (NRC) for two license amendments to license NPF-47, by two letters dated January 13, 1993, as supplemented by later filings. Under these requested license amendments, the license would reflect the transfer of ownership of GSU to become a wholly-owned subsidiary of Entergy as a result of a merger between GSU and Entergy, and control over the operation of River Bend would be transferred from GSU to EOI, another wholly-owned subsidiary of Entergy. Notice of these applications for transfer and proposed no significant hazards consideration determinations were published in the Federal Register on July 7, 1993 (58 FR 36435 and 58 FR 36436).

IV.

The transfer of rights under license NPF-47 is subject to the NRC's approval under 10 CFR § 50.80. Based on information provided by GSU and Entergy, and other information before the Commission, it is determined that the proposed transfer of the control of operations of River Bend from GSU to EOI, and the proposed transfer of ownership of GSU to Entergy, subject to the conditions set forth herein, are in the public interest and are consistent with the applicable provisions of law, regulations and orders issued by the Commission. These actions were evaluated by the staff as documented in Safety Evaluations, dated December 16, 1993, which contain final no significant hazards consideration determinations. The conditions of the transfer, to which GSU has not objected, are:

2.C.(3) Antitrust Conditions

- a. GSU shall comply with the antitrust license conditions set forth in Appendix C, attached hereto and incorporated in this license.

- b. EOI shall not market or broker power or energy from River Bend Station, Unit 1. GSU is responsible and accountable for the actions of its agent, EOI, to the extent said agent's actions affect the marketing or brokering of power or energy from River Bend Station, Unit 1 and, in any way, contravene the antitrust conditions of this paragraph or Appendix C of this license.

2.C.(16) Merger Related Reports

GSU shall inform the Director, NRR:

- a. Sixty days prior to a transfer (excluding grants of security interests or liens) from GSU to Entergy or any other entity of facilities for the production, transmission or distribution of electric energy having a depreciated book value exceeding one percent (1%) of GSU's consolidated net utility plant, as recorded on GSU's books of account.

- b. Of an award of damages in litigation initiated against GSU by Cajun Electric Power Cooperative regarding River Bend within 30 days of the award.

V.

Accordingly, pursuant to Sections 103, 105, 161b, 161i, and 187 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201 et seq. and 10 CFR Part 50, IT IS HEREBY ORDERED that the transfers to Entergy Corporation and Entergy Operations Inc., discussed above, are approved, and NOTICE IS GIVEN that license amendments providing for the transfer of control of operation of River Bend to EOI, subject to the license conditions set out and herein, and the transfer of ownership of GSU to Entergy are issued, and both amendments being subject to the further conditions that should both of these transfers not be completed by June 14, 1994 this order will be null and void, except that for good cause shown, the date upon which the transfers are to be completed may be extended for a short period beyond June 14, 1994 .

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By
Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 16th day of December 1993

*See Previous Sheet for Concurrence

OFFICE	PDIV-2/LA*	PDIV-2/PM	OGC*	PDIV-2/PD*	NR-11/11
NAME	EPeyton	ETBaker <i>STB</i>	APHodgdon	SBlack	IGoddy
DATE	11/5/93	11/30/93	11/12/93	11/24/93	12/2/93

OFFICE	AD-RIY/V	DIR:DRPW	ADP <i>A</i>	DIR-NRB	
NAME	EAdensam	JRoe	LJCallan	TMurley	
DATE	11/30/93	11/30/93	11/30/93	12/17/93	/ /