

**PERRY NUCLEAR POWER PLANT**

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**Donald C. Shelton**  
SENIOR VICE PRESIDENT  
NUCLEAR

September 20, 1995  
PY-CEI/NRR-1985L

United States Nuclear Regulatory Commission  
Document Control Desk  
Washington, D. C. 20555

Perry Nuclear Power Plant  
Docket No. 50-440

License Amendment Application to Revise the Facility Operating License  
to Reflect the Proposed Merger of Operating Companies - Supplemental  
Information

Gentlemen:

An application was submitted on June 2, 1994 (letter PY-CEI/NRR-1794L), for an amendment to the Perry Nuclear Power Plant (PNPP) Operating License, Number NPF-58. The proposed changes reflected the pending merger of the Toledo Edison Company (TE) into the Cleveland Electric Illuminating Company (CEI). A supplemental letter was submitted on July 29, 1994 (letter PY-CEI/NRR-1832L), to clarify the original application and to discuss the effect of the proposed merger on the Beaver Valley Power Station Unit 2 Operating License. The application was further supplemented by letters dated November 10, 1994 (PY-CEI/NRR-1883L), and April 24, 1995 (PY-CEI/NRR-1943L), requesting deferral of NRC activity regarding the application due to delays of approvals from other regulatory agencies.

With respect to the license amendment application, a proposed no significant hazards consideration was published in the Federal Register on July 6, 1994 (59FR128), an environmental assessment and finding of no significant impact was published on July 22, 1994 (59FR140), and an antitrust determination was published on August 10, 1994 (59FR153).

The initial submittal utilized the nomenclature "NEWCO" as a temporary substitute for the name of the combined operating company. The name of the successor corporation is expected to be approved at a meeting of the Centerior Energy Corporation Board of Directors on September 26, 1995. Notification of the new name will be provided to the NRC following this meeting.

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Operating Companies  
Cleveland Electric Illuminating  
Toledo Edison


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In order to close the merger transaction, it is necessary to obtain NRC written consent for transfer of the PNPP license from CEI and TE to the new successor corporation, in accordance with the requirements of 10 CFR 50.80, "Transfer of Licenses." As discussed in the initial submittal, the proposed merger also requires the approval of several other regulatory agencies. Since the completion of the remaining necessary approvals is imminent, CEI requests that the NRC consent to the license transfer pursuant to 10 CFR 50.80, and approve the license amendment, on or before October 30, 1995.

If you have questions or require additional information, please contact Mr. James D. Kloosterman, Manager - Regulatory Affairs at (216) 280-5833.

Very truly yours,

  
for Donald C. Shelton

TAH:sc

cc: NRC Project Manager  
NRC Region III  
NRC Senior Resident Inspector  
State of Ohio