

UNITED STATES NUCLEAR REGULATORY COMMISSION

CLEVELAND ELECTRIC ILLUMINATING AND

OHIO EDISON COMPANY, ET AL.

DOCKET NO. 50-440

NOTICE OF TRANSFER OF OWNERSHIP OF PERRY NUCLEAR POWER PLANT

Notice is hereby given that the United States Nuclear Regulatory Commission (Commission) is considering approval under Title 10 of the Code of Federal Regulations (CFR), Section 50.80, of the transfer of 17.42% (except for related transmission facilities) of the ownership of the facilities for the Perry Nuclear Power Plant, Unit No. 1 (PNPP Unit 1) from the Ohio Edison Company (Ohio Edison) to a wholly owned subsidiary of Ohio Edison, OES Nuclear Inc. (OES). By "Application For License Transfer In Connection With Sale And Related Transactions" filed November 17, 1995, Ohio Edison informed the Commission that it will sell to OES on or before December 31, 1995, a 17.42% ownership interest in the PNPP Unit 1 facility, except for the transmission facilities that are a part of Unit 1. On January 1, 1996, or immediately thereafter, OES will enter into a take or pay steam sale agreement with Ohio Edison pursuant to which Ohio Edison will purchase from OES the steam generated by the interest in PNPP Unit 1 transferred to OES. OES will also grant Ohio Edison the right to utilize the turbine generator portion of PNPP Unit 1 transferred to OES. Both the agreement for the sale of steam and the grant of the right to use the turbine generator will run for the term of the PNPP Unit 1 license through completion of plant decommissioning. Pursuant to the terms of the arrangements, Ohio Edison will have the option to convert the

steam purchase agreement and its right to utilize the Unit 1 turbine generator to a lease to itself of the interest in PNPP Unit 1 conveyed to OES.

Pursuant to 10 CFR 50.80, the Commission may approve the transfer of a license, after notice to interested persons, upon the Commission's determination that the holder of the license following the transfer of control is qualified to be a holder of the license and the transfer of the control is otherwise consistent with applicable provisions of law, regulations and orders of the Commission. Ohio Edison has requested consent under 10 CFR 50.80 to transfer of the license effectuated by the change in control of such ownership interest in PNPP Unit 1. Additionally, Ohio Edison has submitted a license amendment application, dated November 22, 1995, adding OES to the PNPP Unit 1 license, to reflect this transfer.

For further details with respect to this action, see the November 17, and 22, 1995 letters, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Perry Public Library, 3753 Main Street, Perry, Ohio.

Dated at Rockville, Maryland this 4th day of December 1995.

FOR THE NUCLEAR REGULATORY COMMISSION

ORIGINAL SIGNED BY;

Gail H. Marcus, Director
Project Directorate III-3
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

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*See Previous Concurrence

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