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November 15, 1999  
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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

OFFICE OF THE  
GENERAL COUNSEL  
ADJUTANT GENERAL

\_\_\_\_\_  
In the Matter of )  
 )  
 )  
Niagara Mohawk Power Corporation, New )  
York State Electric & Gas Corporation, )  
and )  
AmerGen Energy Company, LLC )  
(Nine Mile Point Nuclear Station, Units 1 )  
and 2) )  
\_\_\_\_\_ )

Docket Nos. 50-220-LT  
50-410-LT

**NIAGARA MOHAWK POWER CORPORATION'S RESPONSE  
TO COMMENTS SUBMITTED BY MULTIPLE INTERVENORS**

On November 1, 1999, pursuant to 10 C.F.R. § 2.1305 and the Nuclear Regulatory Commission's ("NRC") September 1, 1999 Notice,<sup>1</sup> Multiple Intervenors, an unincorporated association of 65 large commercial and industrial customers located throughout New York State, submitted comments related to Niagara Mohawk Power Corporation's proposed sale of its interest in the Nine Mile Point nuclear station, Units 1 and 2, to AmerGen Energy, LLC ("AmerGen"). In accordance with 10 C.F.R. § 1305(c), Niagara Mohawk submits this response to those comments.

The comments assert that members of Multiple Intervenors have paid capital costs associated with the Nine Mile Point units since their inception. It further states that Multiple Intervenors support the continued operation of the units to help ensure that ratepayers that have paid for, and may continue to pay high fixed costs associated with these units, will be able to

<sup>1</sup> Notice of Consideration of Approval of Transfer of Facility Operating Licenses and Conforming Amendments (62 Fed. Reg. 52,798 (September 30, 1999)).

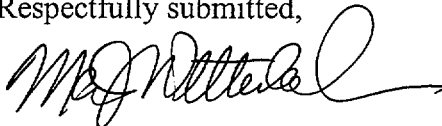
PDR ADOCK

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directly reap the benefits of the low operating costs of nuclear power. However, Multiple Intervenors assert that applicants have not provided adequate financial assurance that the continued operation and eventual end of life decommissioning of the units by AmerGen is feasible and desire that the Commission impose further financial guarantees from AmerGen and its parent companies. These comments are virtually identical to those submitted by Oswego County and the City of Oswego School District in the captioned matter on the same date. Niagara Mohawk adopts its response to those comments as its response herein.

In summary, Niagara Mohawk believes that the application for transfer meets NRC requirements including in the areas of decommissioning funding and financial qualifications including the information requirements and the availability of funding during an extended outage at Nine Mile Point Units 1 and 2. Therefore, Niagara Mohawk does not believe that any additional information need be submitted nor that the Commission should require additional financial guarantees by AmerGen and its parent companies as a condition of approval of the application.

Respectfully submitted,



Mark J. Wetterhahn  
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ATTORNEYS FOR NIAGARA MOHAWK  
POWER CORPORATION

Dated in Washington, D.C.  
this 15th day of November 1999

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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\_\_\_\_\_  
In the Matter of )

Niagara Mohawk Power Corporation, New )  
York State Electric & Gas Corporation, )  
and )

AmerGen Energy Company, LLC )  
(Nine Mile Point Nuclear Station, Units 1 )  
and 2) )

OFF  
ICE  
ADD

Docket Nos. 50-220-LT  
50-410-LT

CERTIFICATE OF SERVICE

I hereby certify that copies of the following documents in the captioned proceeding, have been served on the following by electronic mail, this 15th day of November 1999:

1. Niagara Mohawk Power Corporation's Response to the Comments Submitted by the Public Service Commission of the State of New York,
2. Niagara Mohawk Power Corporation's Response to the Comments of Oswego County and the Oswego City School District,
3. Niagara Mohawk Power Corporation's Response to Comments Submitted by Multiple Intervenors, and
4. Notice of Appearance for Gary D. Wilson.

In addition, courtesy copies have been provided to the following this same date by deposit in the United States mail, first class.

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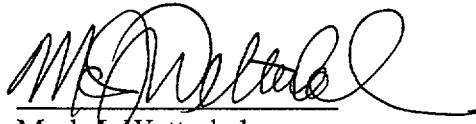
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A handwritten signature in black ink, appearing to read "Mark J. Wetterhahn", written over a horizontal line.

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November 15, 1999