

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 07/19/01

COMMISSIONERS:

SERVED 07/19/01

Richard A. Meserve, Chairman
Greta Joy Dicus
Edward McGaffigan, Jr.
Jeffrey S. Merrifield

In the Matter of)
)
)
POWER AUTHORITY OF THE)
STATE OF NEW YORK and)
ENERGY NUCLEAR FITZPATRICK LLC,)
ENERGY NUCLEAR INDIAN POINT 3 LLC,)
and ENERGY NUCLEAR)
OPERATIONS, INC.)
)
(James A. FitzPatrick Nuclear Power Plant)
and Indian Point Nuclear Generating)
Unit No. 3))
_____)

Docket Nos. 50-333-LT
and 50-286-LT
(consolidated)

CLI-01-16

MEMORANDUM AND ORDER

On June 21, 2001, the Commission issued CLI-01-14, 53 NRC ____, approving the transfer of both ownership and operation of the FitzPatrick and Indian Point 3 nuclear power plants from the Power Authority of the State of New York to various subsidiaries of Entergy Corporation. In CLI-01-14, we rejected all arguments of intervenor Citizens Awareness Network concerning the adequacy of Entergy's financial qualifications and decommissioning plan. We were concerned, however, that we might have inadvertently included in CLI-01-14 proprietary information the public release of which might be harmful to Entergy or PASNY. We therefore withheld the order from public release so that they could review CLI-01-14 and advise us of any information they considered confidential. See CLI-01-14, slip op. at 83.

Today, we release that order with appropriate redactions on pages 17, 25, 26, and 31. Each redaction addresses a proprietary concern raised by Entergy. We further direct those parties who received the proprietary version of CLI-01-14 not to publicly disclose, discuss or otherwise make use of the redacted material.

IT IS SO ORDERED.

For the Commission

/RA/

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 19th day of July, 2001.