

September 27, 2001

Mr. Roger W. Fones
Chief, Transportation, Energy and Agriculture Section
Antitrust Division
Department of Justice
325 7th Street N.W., Suite 500
Washington, DC 20530

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2 -
CONSIDERATION OF AMENDMENT REGARDING ANTITRUST LICENSE
CONDITIONS (TAC NOS. MB2203 AND MB2204)

Dear Mr. Fones:

The Commission is considering issuing an amendment to Facility Operating License (FOL) Nos. NPF-87 and NPF-89 for Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, respectively. The proposed amendment would delete the antitrust conditions of the license in response to the licensee's application dated June 19, 2001.

It is my understanding that your section was involved in the development of the antitrust conditions imposed on TXU Electric when FOL NPF-87 was issued on April 17, 1990, for CPSES, Unit 1, and when FOL NPF-89 was issued on April 6, 1993, for CPSES, Unit 2. In light of this, I request your comments on the proposed amendment to delete these conditions. A copy of the application (identifying the conditions to be deleted) and the supplemental information provided by the licensee (identifying the justifications for deletion) was transmitted separately. Please note that the subject material contains proprietary information that should be withheld from public disclosure.

To meet the licensee's schedule for the proposed amendment, I request that you provide your comments by November 15, 2001. If you have any questions, please contact me at 301-415-1439.

Sincerely,

/RA/

David H. Jaffe, Senior Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

cc: See next page

September 27, 2001

Mr. Roger W. Fones
Chief, Transportation, Energy and Agriculture Section
Antitrust Division
Department of Justice
325 7th Street N.W., Suite 500
Washington, DC 20530

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2 -
CONSIDERATION OF AMENDMENT REGARDING ANTITRUST LICENSE
CONDITIONS (TAC NOS. MB2203 AND MB2204)

Dear Mr. Fones:

The Commission is considering issuing an amendment to Facility Operating License (FOL) Nos. NPF-87 and NPF-89 for Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, respectively. The proposed amendment would delete the antitrust conditions of the license in response to the licensee's application dated June 19, 2001.

It is my understanding that your section was involved in the development of the antitrust conditions imposed on TXU Electric when FOL NPF-87 was issued on April 17, 1990, for CPSES, Unit 1, and when FOL NPF-89 was issued on April 6, 1993, for CPSES, Unit 2. In light of this, I request your comments on the proposed amendment to delete these conditions. A copy of the application (identifying the conditions to be deleted) and the supplemental information provided by the licensee (identifying the justifications for deletion) was transmitted separately. Please note that the subject material contains proprietary information that should be withheld from public disclosure.

To meet the licensee's schedule for the proposed amendment, I request that you provide your comments by November 15, 2001. If you have any questions, please contact me at 301-415-1439.

Sincerely,

/RA/

David H. Jaffe, Senior Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

cc: See next page

Distribution:

PUBLIC	RidsNrrPMDJaffe	RidsNrrLADJohnson
PDIV-1 RF	RidsNrrDlpmLpdivi (RGramm)	RidsOgcRp
RidsRgn4MailCenter (KBrockman)		

ACCESSION NO.: ML012670436

OFFICE	PDIV-1/PM	PDIV-1/LA	OGC	PDIV-1/SC
NAME	DJaffe	DJohnson	GKim for: SHom	RGramm
DATE	9/25/01	9/24/01	9/25/01	9/25/01

OFFICIAL RECORD COPY

Comanche Peak Steam Electric Station

cc:

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 2159
Glen Rose, TX 76403-2159

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011

Mr. Roger D. Walker
Regulatory Affairs Manager
TXU Electric
P. O. Box 1002
Glen Rose, TX 76043

George L. Edgar, Esq.
Morgan, Lewis & Bockius
1800 M Street, N.W.
Washington, DC 20036-5869

Honorable Dale McPherson
County Judge
P. O. Box 851
Glen Rose, TX 76043

Office of the Governor
ATTN: John Howard, Director
Environmental and Natural
Resources Policy
P. O. Box 12428
Austin, TX 78711

Arthur C. Tate, Director
Division of Compliance & Inspection
Bureau of Radiation Control
Texas Department of Health
1100 West 49th Street
Austin, TX 78756-3189

Jim Calloway
Public Utility Commission of Texas
Electric Industry Analysis
P. O. Box 13326
Austin, TX 78711-3326

Mr. C. Lance Terry
Senior Vice President
& Principal Nuclear Officer
TXU Electric
ATTN: Regulatory Affairs Department
P. O. Box 1002
Glen Rose, TX 76043