



Entergy Operations, Inc.
Entergy Nuclear Operations, Inc.
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Jackson, MS 39213-1995
601-368-5692

Michael R. Kansler
President, Chief Executive Officer
& Chief Nuclear Officer

10 CFR 50.80

ENOC-09-00015

May 15, 2009

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
One White Flint North
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Rockville, MD 20852-2738
(301) 415-7000

Subject: Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station
Docket No. 50-293
Indian Point Nuclear Generating Unit Nos. 1, 2 & 3
Docket Nos. 50-003, 50-247, 50-286 & 72-51
James A. FitzPatrick Nuclear Power Plant
Docket Nos. 50-333 & 72-12
Vermont Yankee Nuclear Power Station
Docket Nos. 50-271 & 72-59
Palisades Nuclear Plant
Docket No. 50-255 & 72-7
Big Rock Point
Docket Nos. 50-155 & 72-43

Request for Extension of Orders Approving
Transfer of Control of Licenses

By letter dated July 30, 2007, and as supplemented on October 31, 2007, December 5, 2007, January 24, 2008, March 11, 2008, April 22, 2008, and May 2, 2008, Entergy Nuclear Operations, Inc., also referred to previously as ENOI, LLC (either company herein, ENO), acting on behalf of itself and Entergy Nuclear Generation Company, Entergy Nuclear FitzPatrick, LLC, Entergy Nuclear Vermont Yankee, LLC, Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC, and Entergy Nuclear Palisades, LLC (together, Applicants), requested that the Nuclear Regulatory Commission (NRC) consent to the transfer of control of the above-captioned licenses pursuant to Section 184 of the Atomic Energy Act, as amended (the Act), and 10 CFR 50.80, in connection with a proposed corporate restructuring and establishment of Enexus Energy Corporation (Enexus). NRC approved the license transfers in seven Orders dated July 28, 2008 that were published in the *Federal Register* on August 4, 2008.

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NMS501
NRC

Condition 3 of each Order provides that, if the proposed corporate restructuring and establishment of Enexus is not accomplished within one year, the Order shall become "null and void." However, each Order also provides in the same condition that the expiration date may be extended by NRC Order, "upon written application and good cause shown." ENO requests that each of the Orders be extended by six months, until January 28, 2009, in order to allow ample time for completion of the proposed restructuring and establishment of Enexus.

There is good cause to extend the existing approvals. Diligent efforts have been made to obtain the required state and federal regulatory approvals, and many of the required approvals have been obtained. However, proceedings are ongoing before the New York State Public Service Commission (PSC) and State of Vermont Public Service Board (PSB), and these two state agencies may not complete their regulatory approval processes in time to complete the restructuring and establishment of Enexus before July 28, 2009, as required by the current NRC Orders approving the license transfers. Nevertheless, the Applicants are confident that the approvals of the New York PSC and Vermont PSB will be obtained. In New York, the Applicants have been actively engaged in settlement negotiations. The details of these negotiations must be maintained confidential under applicable rules, but the settlement negotiations were formally noticed in the New York proceeding earlier this year. In Vermont, the only remaining party that requires resolution in the proceeding is the Vermont Department of Public Service (DPS). The record in the PSB proceeding to review the proposed reorganization was closed following evidentiary hearings, and the Applicants are optimistic that approval will be received.

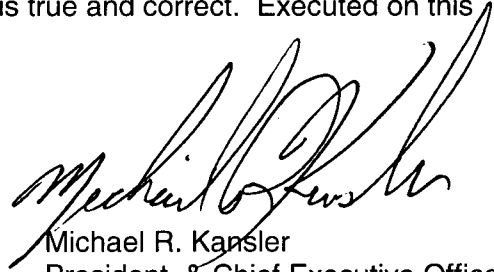
In addition, considerable progress has been made in securing financing to support the proposed transactions. However, uncertainties in the financial markets and the need to obtain required state regulatory approvals have slowed the process of obtaining all of the requisite financing necessary to complete the transactions, making it difficult to conclude that all of the necessary arrangements are certain to be completed in time to support a closing of the transactions by July 28, 2009.

The conditions under which the NRC issued the Orders approving license transfers have not changed significantly. The technical qualifications of the new organization and other bases for approving the transfers remain intact, and the various inter-company contractual arrangements and the financial support arrangements, as described in the application and supplemental information, remain valid and fully support the NRC Staff's findings regarding the financial qualifications of the Applicants. As such, the current conditions continue to support the NRC Staff's findings regarding the technical and financial qualifications of the affected licensees.

If NRC requires additional information concerning this license transfer request, please contact John McCann, Director, Nuclear Safety and Licensing, at (914) 272-3370 or jmccan1@entergy.com.

There are no new regulatory commitments in this letter.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 15th day of May 2009.

A handwritten signature in black ink, appearing to read "Michael R. Kansler", is written over the printed name and title.

Michael R. Kansler
President & Chief Executive Officer

cc:

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cc:

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