

Docket No. 50-261 ✓

MAR 1 1972

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Carolina Power and Light Company
ATTN: Mr. C. D. Barham, Jr.
Associate General Counsel
336 Fayetteville Street
Raleigh, North Carolina 27602

Gentlemen:

We are enclosing herewith an amendment to your indemnity agreement reflecting the amendment to 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," effective March 1, 1972. The amendment to Part 140, a copy of which is also enclosed, gives effect to the recent increase from \$82 million to \$95 million in available nuclear energy liability insurance provided by Nuclear Energy Liability Insurance Association and Mutual Atomic Energy Liability Underwriters.

We will appreciate your indicating your acceptance of the amendment to your indemnity agreement in the space provided and returning one signed copy. If you have any questions about the foregoing, please let us know.

Sincerely,

Jerome Saltzman

Jerome Saltzman, Chief
Indemnity and Export Control Branch
Division of State and
Licensee Relations

Enclosures:

1. Amendment to Indemnity Agreement
2. Amendment to 10 CFR 140

CRESS	OFFICE ▶	SLR					
T3061, R05							
T3062, R02 dp	SURNAME ▶	JSaltzman:dp					
2/15/72	DATE ▶	2/16/72					

AMENDMENT NO. 3 TO INDEMNITY AGREEMENT NO. B-43

Effective March 1, 1972, Indemnity Agreement No. B-43, between Carolina Power and Light Company and the Atomic Energy Commission, dated December 4, 1969, as amended, is hereby further amended as follows:

Article II, Paragraph 8(a) is amended by deleting the amount "\$63,550,000" wherever it appears and substituting therefor the amount "\$73,625,000."

Article II, Paragraph 8(b) is amended by deleting the amount "\$18,450,000" wherever it appears and substituting therefor the amount "\$21,375,000."

Article II, Paragraph 8(c) is amended by deleting the amount "\$82,000,000" wherever it appears and substituting therefor the amount "\$95,000,000."

Article III, Paragraph 4(b)(2) is amended by deleting the amount "\$82,000,000" and substituting therefor the amount "\$95,000,000."

Item 2a. of the Attachment to the indemnity agreement is deleted in its entirety and the following substituted therefor:

Item 2 - Amount of financial protection

- a. \$ 1,000,000 (From 12:01 a.m., December 4, 1969, to 12:00 midnight, July 30, 1970, inclusive)
\$82,000,000 (From 12:01 a.m., July 31, 1970, to 12:00 midnight, February 29, 1972, inclusive)
\$95,000,000 (From 12:01 a.m., March 1, 1972)

FOR THE UNITED STATES ATOMIC ENERGY COMMISSION

Jerome Saltzman

Jerome Saltzman, Chief
Indemnity and Export Control Branch
Division of State and Licensee Relations

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Accepted _____, 1972

CRESS By	SLR				
T3061, R06	OF CAROLINA POWER AND LIGHT COMPANY				
T3114, R01	JSaltzman:dp				
SURNAME ▶					
2/18/72	2/18/72				
DATE ▶					

Docket No. 50-261

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Carolina Power and Light Company
ATTN: Mr. C. D. Barham, Jr.
Associate General Counsel
336 Fayetteville Street
Raleigh, North Carolina 27602

Gentlemen:

We are enclosing herewith an amendment to 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," which will become effective March 1, 1972. The amendment is being forwarded to the Federal Register for publication as an effective rule.

This amendment gives effect to the recent increase, from \$82 million to \$95 million, in available nuclear energy liability insurance provided by Nuclear Energy Liability Insurance Association and Mutual Atomic Energy Liability Underwriters. Inasmuch as you are a licensee of a facility for which the amount of financial protection required under Section 170b. of the Atomic Energy Act of 1954, as amended, and Section 140.11(a)(4) of 10 CFR Part 140, shall be the maximum amount available from private sources, it will be necessary that you submit, by March 1, 1972, proof of financial protection in the amount of \$95 million. Such proof may be in the form of endorsements to your nuclear energy liability insurance policies.

An appropriate amendment to your indemnity agreement is currently being prepared and will be forwarded to you upon receipt of proof of financial protection in the revised amount as stated above.

Please contact us if you have any questions with regard to the foregoing.

Sincerely,

Original Signed by
Lyall Johnson

Lyall Johnson, Director
Division of State and
Licensee Relations

Enclosure:

Amendment to 10 CFR Part 140

CRESS	OFFICE	SLR	OGC	SLR		
T3061, R04						
T3062, R02	SURNAME	JSaltzman:dp		LJohnson		
2/3/72	DATE	2/1/72	2/1/72	2/1/72		15