

BEFORE THE UNITED STATES
NUCLEAR REGULATORY COMMISSION

Application of)	
Texas Utilities Generating Company)	
Dallas Power & Light Company)	Docket Nos.
Texas Electric Service Company)	50-445 and 50-446
Texas Power & Light Company)	
Texas Municipal Power Agency)	
and)	
Brazos Electric Power Cooperative, Inc.)	
Tex-La Electric Cooperative of Texas, Inc.)	

for

Operating Licenses
(Class 103) for the

COMANCHE PEAK STEAM ELECTRIC STATION
Units 1 and 2

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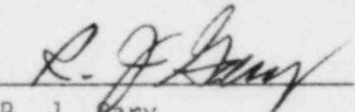
AMENDMENT 1
NOVEMBER 23, 1981

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
TEXAS UTILITIES GENERATING COMPANY) Docket Nos. 50-445
) 50-446
(Comanche Peak Steam Electric)
Station, Units 1 and 2))

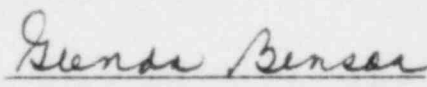
AFFIDAVIT

R. J. Gary being duly sworn, hereby deposes and says that he is Executive Vice President and General Manager of Texas Utilities Generating Company, the Applicant herein; that he is duly authorized to sign and file with the Nuclear Regulatory Commission Amendment 1 to the Application for Operating Licenses for the captioned facilities; that he is familiar with the content thereof; and that the matters set forth therein are true and correct to the best of his knowledge, information and belief.


R. J. Gary
Executive Vice President
and General Manager

STATE OF TEXAS)
) ss
COUNTY OF DALLAS)

Subscribed and sworn to before me, a Notary Public in and for
Dallas County, on this 20th day of November, 1981.


Notary Public

My commission expires Feb. 17, 1985.

BEFORE THE UNITED STATES
NUCLEAR REGULATORY COMMISSION

Application of)	
• Texas Utilities Generating Company)	
Dallas Power & Light Company)	Docket Nos.
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Texas Power & Light Company)	
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and)	
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Tex-La Electric Cooperative of Texas, Inc.)	

1

for

Operating Licenses
(Class 103) for the

COMANCHE PEAK STEAM ELECTRIC STATION
Units 1 and 2

In accordance with the Atomic Energy Act of 1954, as amended, and the rules and regulations issued thereunder in Title 10, Chapter 1, Code of Federal Regulations, the Applicants, Texas Utilities Generating Company (TUGCO), Dallas Power & Light Company (DPL), Texas Electric Service Company (TESCO), Texas Power & Light Company (TPL), Texas Municipal Power Agency (TMPA), Brazos Electric Power Cooperative, Inc. (BEPC), and Tex-La Electric Cooperative of Texas, Inc. (Tex-La) hereby apply for forty year, class 103 licenses to operate two nuclear power reactors at their Comanche Peak Steam Electric Station site in Somervell and Hood counties, Texas. Each reactor will have an initial nuclear output of 3411 Mwt and a design rating (net nuclear) of 3565

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Mwt. The Applicants also apply for appropriate source, by-product, and special nuclear material licenses for the project. TUGCO, as lead Applicant and as agent for DPL, TESCO, TPL, TMPA, BEPC, and Tex-La, provides the following information in accordance with 10 CFR 50.33.

(a) Name of Applicant

The Applicants are Texas Utilities Generating Company, Dallas Power & Light Company, Texas Electric Service Company, Texas Power & Light Company, Texas Municipal Power Agency, Brazos Electric Power Cooperative, Inc. and Tex-La Electric Cooperative of Texas, Inc. The ownership percentages are as follows:

TESCO	35 5/6
TPL	31 1/2
DPL	18 1/3
TMPA	6 1/5
BEPC	3 4/5
Tex-La	4 1/3

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TUGCO is the lead Applicant, and as such acts as agent for the Owner Applicants for design, construction, and operation, as well as representation in licensing matter, but will have no ownership interest.

(b) Address of Applicants

Texas Utilities Generating Company
2001 Bryan Tower
Dallas, Texas 75201

Dallas Power & Light Company
1506 Commerce Street
Dallas, Texas 75201

Texas Electric Service Company
115 West Seventh Street
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Texas Power & Light Company
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Dallas, Texas 75201

Texas Municipal Power Agency
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Arlington, Texas 76011

Brazos Electric Power Cooperative, Inc.
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2404 LaSalle Avenue
Waco, Texas 76706

Tex-La Electric Cooperative of Texas, Inc.
P. O. Box 479
San Augustine, Texas 75922

1

(c) & (d) Description of Business and Organization of Applicants

TUGCO, et al.

TUGCO, a subsidiary of Texas Utilities Company (TUCO), will operate the Comanche Peak Steam Electric Station (CPSES) as agent for the Owner Applicants.

Three of the joint Owners (DPL, TESCO, TPL) are electric utility subsidiaries of TUCO. Other principal subsidiaries of TUCO are Texas Utilities Services Inc. (TUSI) and Texas Utilities Fuel Company, each of which provides specialized services for the affiliated companies.

The above named companies are incorporated under the laws of the State of Texas. TUGCO and the Owner Applicants maintain their headquarters at the addresses shown in (b) above.

The transmission lines of the Texas Utilities Company System (TUCS) are interconnected and constitute an integrated system through which the output of the generating stations is distributed. This output provides retail electric service to 345 cities and towns, and wholesale electric service to three municipal electric systems and 33 rural electric cooperatives.

As of December 31, 1980, TUCS had a total net capability of 17,412,000 kilowatts. The System's three electric utility subsidiaries supply the electric energy needs for more than 4 million people in 87 counties in North Central, East and West Texas. 1

TPMA

On May 8, 1975, the Legislature of the State of Texas enacted Section 4a of Article 1435a, Vernon's Texas Civil Statutes. Article 1435a provides that public or private entities in the State may jointly plan, finance, acquire, construct, own, operate and maintain generation and transmission facilities. Section 4a provides that public entities owning electric generation facilities may create joint power agencies with the authority to issue electric revenue bonds for any projects that they may undertake. Such agencies are separate municipal corporations, political subdivisions, and bodies politic and corporate of the State of Texas. 1

TPMA was created in July 1975 by, and to act in the interest of, the Cities of Bryan, Denton, Garland and Greenville, Texas (Cities) in obtaining the economic advantages of jointly financing, constructing and operating large generating units to supply the growing energy needs of the Cities. TPMA has formulated and is now implementing a 10-year

power supply program (1978-1987). The major generation facilities of this program are the lignite-fired 400 MW Gibbons Creek Steam Electric Station scheduled for service in 1982 and the Agency's 6 1/5% ownership interest in CPSES. At the present time TMPA is a development stage enterprise. It does not operate any generation, and operates only minor transmission but expects to become a wholesale supplier to the Cities as the facilities noted above come into operation.

BEPC

Brazos Electric Power Cooperative, Inc., was incorporated under the Rural Electric Cooperative Act of the State of Texas in 1941. Brazos was formed for the purpose of furnishing dependable, economical, wholesale power and energy initially for eleven rural electric distribution cooperatives of Texas. Brazos is presently owned by and serves the following nineteen rural electric distribution cooperatives which were organized and are operating under the Rural Electric Cooperative Act of the State of Texas:

Bartlett Electric Coop., Inc.
Belfalls Electric Coop., Inc.
Hill County Electric Coop., Inc.
Limestone County Electric Coop., Inc.
Denton County Electric Coop., Inc.
McLennan County Electric Coop., Inc.
Navarro County Electric Coop., Inc.
Cooke County Electric Coop., Assn.
Erath County Electric Coop., Assn.
Hamilton County Electric Coop., Assn.
J-A-C Electric Cooperative, Inc.
Johnson County Electric Coop., Inc.
Wise Electric Coop., Inc.
Comanche County Electric Coop. Assn.
Fort Belknap Electric Coop., Inc.

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Tri-County Electric Coop., Inc.
Mid-South Electric Coop. Assn.
Robertson Electric Coop., Inc.
B-K Electric Cooperative, Inc.

Brazos has, from its inception, provided generation and transmission services to its members and presently has in operation three generating stations with a combined output of 465 MW of thermal generation, 53 MW of hydro generation and is presently constructing 400 MW of thermal generation through association with another Texas cooperative. Brazos has approximately 2000 miles of transmission facilities serving its members in 55 central and north Texas counties. The 3 4/5% ownership interest in CPSES will integrate into Brazos' long-range generation plans and provide Brazos with a proper mixture of fuels for use in meeting its future generation requirements. Electricity generated by the Comanche Peak project for Brazos will be distributed among the above member cooperatives, and the cities of Bartlett, Granbury, Hearne, Sanger, Seymour, Weatherford, and Whitesboro.

Tex-La

Tex-La is a generation and transmission cooperative which has been recently organized under Article 1528b, Vernon's Annotated Texas Statutes and the Electric Cooperative Corporation Act of the State of Texas. Tex-La was organized to engage in rural electrification by the generation and transmission of electric power and energy to and for its members:

Deep East Texas Electric Cooperative
Houston County Electric Cooperative
Jasper-Newton Electric Cooperative
Sam Houston Electric Cooperative
Rusk County Electric Cooperative
Cherokee County Electric Cooperative

Wood County Electric Cooperative

Tex-La's service area is bordered on the East by the Texas-Louisiana state line and extends Southwest from Dallas, Texas to just North of Houston. For the year ending December 31, 1980, Tex-La had a maximum demand of 466,631 KW serving approximately 132,000 meters.

Neither TUCO nor any of its subsidiaries, including TUGCO, nor any of the Owners is owned, controlled, or dominated by an alien, a foreign corporation or a foreign government. The names and addresses of the directors and principal officers of TUCO, TUGCO, TUSI and the Owners, all of whom are citizens of the United States, are as follows:

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Vice Chairman of the Board

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W. H. Harrison, Jr.
Executive Vice President

L. S. Turner, Jr.
Executive Vice President

E. A. Nye
Executive Vice President

Michael D. Spence
Executive Vice President

H. A. Horn
Treasurer and Assistant Secretary

R. E. Fonville
Secretary and Assistant Treasurer

S. S. Swiger
Controller

Peter B. Tinkham
Assistant Secretary

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Executive Vice President and General Manager

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Vice President

L. F. Fikar
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John D. Janak
Vice President

Peter B. Tinkham
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H. L. Williamson
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G. W. Sellar
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M. H. Tanner, Jr.
Vice President

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Vice President

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E. L. Watson
Vice President

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Treasurer and Assistant Secretary

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Louis W. Howard
Vice President

Leon Loveless
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Joe M. Nelson
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Gary L. Price
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*Mr. Fred S. Buchanan
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Executive Vice President

Erie Nye
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S. S. Swiger
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Controller

H. L. Williamson
Treasurer and Assistant Secretary

Peter B. Tinkham
Secretary and Assistant Treasurer

Addresses for all of the above (except as indicated):

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(e) Class and Period of License Applied For and Description of
Facility and Use to Which Facility Will be Put

TUGCO requests Class 103 operating licenses for a period of forty (40) years for the units described below.

TUGCO also requests such additional source, special nuclear, and by-product material licenses as may be necessary and appropriate to the operation of the plant.

TUGCO proposes to operate the nuclear electric generating plant, consisting of two (2) generating units utilizing pressurized water reactors, at the Comanche Peak site. Each generating unit will have an estimated gross electrical output of 1,161 Mwe. Each reactor will have an initial nuclear output of 3,411 Mwt (an additional 14 Mwt will originate from non-nuclear sources). The containment, engineered safety features, and certain postulated accidents are designed and/or evaluated for a net core output of 3,565 Mwt. The facilities will be used for the generation of commercial electric energy for transmission and sale as provided in section 105.c of the license conditions which TUGCO has agreed to accept.

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The Comanche Peak Steam Electric Station will be located in Somervell County, Texas, 65 air miles southwest of the Dallas-Fort Worth Metropolitan Area in North Central Texas. Details concerning the plant, the site, and the attendant environmental considerations are contained in the Final Safety Analysis Report (FSAR) and the Environmental Report (ER), which constitute part of this application.

(f) Financial Qualifications

The ownership interests in CPSES are as stated in (a) above. Construction of the station is being financed as a part of the overall construction programs of the owners, with each sharing in its cost in proportion to its ownership interest. TUGCO will have no ownership interest in CPSES and will not be obligated in the financing of the station.

The combined operating costs of both units for the first 7 full years of operation are estimated to be \$3,976.6 million. A breakdown of these costs is shown in Table 1.a. of the April 13, 1981 response to the staff's request for financial information.

Decommissioning of CPSES at the end of its economic operating life is estimated to cost \$50 million per unit (1980 dollars) for decommissioning using the DECON mode. This estimate is based on the analysis set forth in "Technology, Safety and Costs of Decommissioning A Reference Pressurized Water Reactor Power Station," NUREG/CR-0130 (June 1978) and NUREG/CR-0130 Addendum (August 1979). Applicants have determined that the cost estimates presented in those reports are appropriate for CPSES since the design of the reference reactor in those studies is similar in most respects, including size, to CPSES. Economics not included in that estimate may be effected in decommissioning CPSES because DECON of Unit 1 will likely be deferred until both units can be decommissioned together. Decommissioning costs based on the DECON mode are included in the cost estimates for the first 7 full years of operation.

If the SAFSTOR mode of decommissioning is used rather than DECON, the cost for preparing the plant for SAFSTOR is estimated to be \$13 million (1978 dollars) and the annual cost for continuing care would be \$80 thousand (1978 dollars). These estimates are also based on the analyses in NUREG/CR-0130.

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The funds which will be required from the owners for the operation maintenance and eventual shutdown and maintenance in a safe shutdown condition of CPSES will be provided by each from funds derived from revenue received from its customers for sales of electric energy.

The financial qualifications of the Owners are shown by data detailed in the Annual Report appendices. This data provides reasonable assurance of obtaining adequate funds to complete the construction of CPSES and to provide for safe operation, maintenance and decommissioning of the plant.

The Annual Report appendices contain the following information: #

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1. 1980 Annual Reports for TUCO and DPL, TESCO, TPL, TMPA AND BEPC.
2. Statements of Income for TUCO and DPL, TESCO, and TPL (Interim).
- * 3. TUGCO's Balance Sheet and Accountant's Opinion as of December 31, 1976.
4. Net Earnings Certificate for DPL, TESCO and TPL.

* TUGCO has no annual report.

The annual financial reports for the companies listed have been filed each year with the NRC as required by 10 CFR 50.71(b). In addition, financial information on all the Applicants, including BEPC, TMPA and Tex-La, was sent to NRC by letter dated April 13, 1981. Annual financial reports for all Applicants will be filed with the NRC each year as required by 10 CFR 50.71(b).

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(i) Regulatory Agencies and Trade and News Publications

Neither TUGCO nor the Owners are subject to the plenary jurisdiction of the Federal Energy Regulatory Commission.

All municipalities in Texas are empowered by statute to regulate rates and to prescribe rules and regulations under which services are rendered by electric utility companies within their city limits. For non-municipal utilities, the Public Utility Commission of Texas (PUC) is empowered to regulate rates and to prescribe rules and regulations for areas outside the limits of municipal corporations, and within the limits of those municipal corporations which have ceded their regulatory authority to the commission. The PUC also has jurisdiction over appeals from decisions of municipalities with respect to regulation of rates and service. The rates of the joint Owners have been formally adopted or approved by the appropriate regulatory agency, with the exception of the TMPA which is not subject to outside regulatory approval.

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TMPA has taken the position that under the Texas Public Utility Regulatory Act the PUC does not have jurisdiction over it. In Docket No. 41 of the PUC, issued on October 8, 1976, the PUC found that it did not have jurisdiction to require TMPA to obtain certificates of convenience and necessity before building facilities within the State. In an opinion dated July 22, 1980, the attorney general of Texas ruled that PUC has no original or appellate jurisdiction over the rates of the TMPA. The statute under which TMPA was created, and which reserves

to the State the right to regulate the rates of TMPA, provides that the State will not limit the powers of TMPA to establish and collect rates and charges as will produce revenues sufficient to pay, among other things, operation and maintenance expenses and debt obligations of TMPA.

The cities who purchase from TMPA have original jurisdiction over the electric rates, operations and services of their own systems within their boundaries. The Attorney General of Texas has rendered an opinion that the PUC has no appellate jurisdiction over such rates. The respective original and appellate jurisdictions of the Cities and the PUC with respect to rates, operations and services of the Cities' electric systems outside of their boundaries is not clear at this time, but the Statute appears to give the PUC no such original jurisdiction, and appellate jurisdiction only with respect to retail sales and not sales between one city and another. The Statute provides that after September 1, 1977, any city may surrender to the PUC jurisdiction over utility rates, operations and services, but is not clear whether this includes the right to surrender jurisdiction over its own municipal system.

In addition to the above, BEPC and Tex-La are regulated by the Rural Electrification Administration of the United States Department of Agriculture.

The following is a list of major news publications which circulate in the North Central Texas area on a regular basis and which periodically contain information that could be considered appropriate to give reasonable notice of this application to those municipalities, private utilities, public bodies, and cooperatives which might have a potential interest in the facility. The news publications are:

The Dallas Morning News
Dallas, Texas

Glen Rose Reporter
Glen Rose, Texas

The Dallas Times Herald
Dallas, Texas

Hood County News
Granbury, Texas

Fort Worth Star-Telegram
Fort Worth, Texas

Stephenville Daily Empire
Stephenville, Texas

Cleburne Times-Review
Cleburne, Texas

Information concerning this application can also be expected to appear in trade magazines such as Electrical World, Electric Light and Power, and Power Engineering, which have widespread distribution throughout the area, especially with private utilities and rural cooperatives.

(j) 10 CFR 50.37 Agreement

The application does not contain any Restricted Data or other defense information, and it is not expected that any will become involved. However, TUGCO agrees that it will appropriately safeguard such information if it does become involved and will not permit any individual to have access to Restricted Data until the Civil Service Commission shall have made an investigation and a report to the Nuclear Regulatory Commission on the character, association and loyalty of such individual, and the Nuclear Regulatory Commission shall have determined that permitting such person to have access to Restricted Data will not endanger the common defense and security.

(k) Communications

All communications to the Applicants pertaining to this application shall be sent to:

R. J. Gary
Executive Vice President and General Manager
Texas Utilities Generating Company
2001 Bryan Tower
Dallas, Texas 75201

In addition, it is requested that copies of each communication be sent to:

H. C. Schmidt
Manager, Nuclear Services
Texas Utilities Generating Company
2001 Bryan Tower
Dallas, Texas 75201

and to Texas Utilities Generating Company Counsel:

Spencer C. Relyea, Esq.
Worsham, Forsythe & Sampels
2001 Bryan Tower, Suite 2500
Dallas, Texas 75201

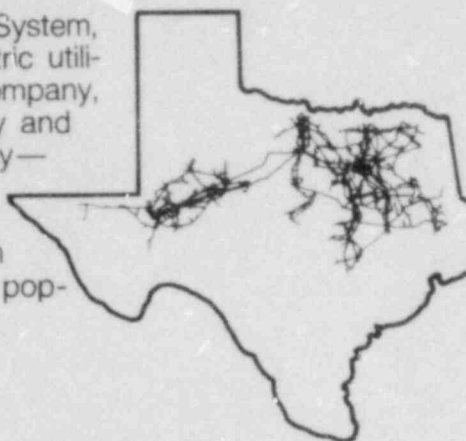
Nicholas S. Reynolds, Esq.
Debevoise & Liberman
1200 Seventeenth Street, N.W.
Washington, D. C. 20036



Texas Utilities Company
Annual Report 1980

Texas Utilities Company 1980 Annual Report

The Texas Utilities Company System, through its three operating electric utilities—Dallas Power & Light Company, Texas Electric Service Company and Texas Power & Light Company—provides service in 87 counties in north central, east and west Texas to more than four million people—about one-third of the population of Texas.



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Cover Illustration:

Represented on the cover are major System efforts that contribute to the nation's goal of energy independence—conservation, research and development of potential energy sources and the use of more abundant coal and nuclear fuel.
