

Signed in Washington, DC, this 7th day of August 2006.

**Erica R. Cantor,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. E6-13177 Filed 8-10-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-333]

### Entergy Nuclear Operations, Inc.; Notice of Receipt and Availability of Application for Renewal of James A. FitzPatrick Nuclear Power Plant (Facility Operating License No. Dpr-59) for an Additional 20-Year Period

The U.S. Nuclear Regulatory Commission (NRC or Commission) has received an application, dated July 31, 2006, from Entergy Nuclear Operations, Inc., filed pursuant to Section 104(b) (Operating License No. DPR-59) of the Atomic Energy Act of 1954, as amended, and Title 10 of the *Code of Federal Regulations* Part 54 (10 CFR Part 54), to renew the operating license for the James A. FitzPatrick Nuclear Power Plant. Renewal of the license would authorize the applicant to operate the facility for an additional 20-year period beyond the period specified in the current operating license. The current operating license for the James A. FitzPatrick Nuclear Power Plant (DPR-59) expires on October 17, 2014. The James A. FitzPatrick Nuclear Power Plant is a boiling-water reactor designed by General Electric. The unit is located near the town of Lycoming, New York. The acceptability of the tendered application for docketing, and other matters including an opportunity to request a hearing, will be the subject of subsequent **Federal Register** notices.

Copies of the application are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20822 or electronically from the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under Accession Number ML062160486. The ADAMS Public Electronic Reading Room is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application is available on the NRC Web page at <http://www.nrc.gov/reactors/operating/licensing/renewal/application.html> while the application is under review. Persons who do not have access to

ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR Reference staff at 1-800-397-4209, extension 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

A copy of the license renewal application for the James A. FitzPatrick Nuclear Power Plant, is also available to local residents near the James A. FitzPatrick Nuclear Power Plant at the Penfield Library (Selective Depository), Reference and Documents Department, State University of New York, Oswego, New York 13126.

Dated at Rockville, Maryland, this 7th day of August 2006.

For the Nuclear Regulatory Commission.

**Pao-Tsin Kuo,**

*Deputy Director, Division of License Renewal,  
Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-250 and 50-251; License Nos. Dpr-31 And Dpr-41]

### In the Matter of Florida Power and Light Company; (Turkey Point Plant, Unit Nos. 3 And 4); Order Approving Application Regarding Corporate Merger

I

Florida Power and Light Company (FPL or the licensee) is the holder of the Facility Operating Licenses, Nos. DPR-31 and DPR-41, which authorize the possession, use, and operation of the Turkey Point Plant, Units 3 and 4 (the facility). FPL is licensed by the U.S. Nuclear Regulatory Commission (NRC or Commission) to operate the facility. The facility is located at the licensee's site in Miami-Dade County, Florida.

II

By application dated January 20, 2006 (the application), FPL requested that the NRC, pursuant to 10 CFR 50.80, consent to the proposed indirect transfer of control of the licenses for the facility.

According to the application filed by FPL, the facility is wholly owned by FPL.

As stated in the application, in connection with the proposed merger of FPL's parent company, FPL Group, Inc. (FPL Group), and Constellation Energy Group, Inc. (CEG, Inc.), FPL Group will become a wholly owned subsidiary of CEG, Inc. At the closing of the merger, the former shareholders of FPL Group will own approximately 60 percent of the outstanding stock of CEG, Inc., and

the premerger shareholders of CEG, Inc., will own the remaining approximately 40 percent. In addition, the CEG, Inc., Board of Directors will be composed of fifteen members, nine of whom will be named by FPL Group, and six of whom will be named by the current CEG, Inc.

Approval of the indirect transfer of the facility operating licenses was requested by FPL pursuant to 10 CFR 50.80. Notice of the request for approval and an opportunity for a hearing was published in the **Federal Register** on February 22, 2006 (71 FR 9170). No comments or petitions to intervene were received.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. Upon review of the information in the application by FPL and other information before the Commission, the NRC staff concludes that the proposed merger and resulting indirect transfer of control of the licenses will not affect the qualifications of FPL as a holder of the facility licenses, and that the indirect transfer of control of the license as held by FPL, is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

The findings set forth above are supported by a safety evaluation dated August 3, 2006.

III

Accordingly, pursuant to Sections 161b, 161i, 161o, and 184 of the Atomic Energy Act of 1954, as amended (the Act), 42 U.S.C. 2201(b), 2201(i), 2201(o), and 2234; and 10 CFR 50.80, *It is hereby ordered* that the application regarding the proposed merger and indirect license transfer is approved, subject to the following conditions:

(1) FPL shall provide the Director of the Office of Nuclear Reactor Regulation a copy of any application, at the time it is filed, to transfer (excluding grants of security interests or liens) from FPL to its parent, or to any other affiliated company, facilities for the production, transmission, or distribution of electric energy having a depreciated book value exceeding ten percent (10%) of FPL's net utility plant, as recorded on its books of accounts.

(2) Should the proposed merger not be completed within one year from the date of issuance, this Order shall become null and void, provided, however, upon written application and good cause shown, such date may, in writing, be extended.

This Order is effective upon issuance.