

JAN 24 1975

Docket No. 50-423

Mr. Donald C. Switzer
President
Northeast Nuclear Energy Company
P. O. Box 270
Hartford, Connecticut 06101

Distribution
Docket File
AEC PDR
Local PDR
LWR 1-1 File
NDube
MJinks (3)
RO (3)
RCDeYoung
Chebron
ABraitman
OGC - JCohen
DMuller
JPeterson

MSlater
CMiles
SKari
ADromerick
WOMiller
JLee
DSkovholt
DBVassallo
OGC - Antitrust
ACRS (18) (12)
BScharf w/15 cys Encl. 1

Dear Mr. Switzer:

Your letter dated November 19, 1974, transmitted Amendment No. 26 to the License Application for the Millstone Nuclear Power Station, Unit No. 3. This amendment requested authorization of a transfer by the three lead participants (The Connecticut Light and Power Company, The Hartford Electric Light Company, and Western Massachusetts Electric Company) of an 0.121% ownership share to the City of Holyoke, Massachusetts Gas and Electric Department (Holyoke).

Based on our review of Amendment No. 26, we have concluded that the two matters for consideration are financial and antitrust aspects. There are no technical qualification considerations since Northeast Nuclear Energy Company retains responsibility for all technical aspects of construction and operation of the facility.

We have reviewed in detail Amendment No. 26 requesting approval of the above transfer of ownership; the Millstone 3 Sharing Agreement (Particularly Section 24, "Default by Participant"); and the portions of the Atomic Safety and Licensing Board hearings dealing with the default provisions of the Sharing Agreement. The three lead participants provided in the Sharing Agreement (and reaffirmed in the hearings) that, in the absence of other acceptable solutions, the three lead participants will exercise their rights to take over and assume responsibility for the ownership share of an associate participant in the event of a five-month default by that participant. We have not changed our previous conclusion that the three lead participants are financially qualified to assume, if necessary, under the Sharing Agreement, 75% ownership. The purchase of the 0.121% interest by Holyoke from the three lead participants does not change the ultimate burden on the three lead participants (or add a burden to any other participant), but merely redistributes the 75% for which these three lead participants are ultimately responsible. Therefore, the purchase of this minor interest by Holyoke does not affect our previous

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SURNAME ►						
DATE ►						

JAN 24 1975

conclusion that the applicants are financially qualified to design and construct Millstone Nuclear Power Station, Unit No. 3.

The proposed ownership change is consistent with the advice provided by the Attorney General as part of the antitrust review of this application. Further, we have concluded that the activities authorized by this amendment can be conducted without endangering the health and safety of the public and that authorization of this amendment to the permit does not involve a significant hazards consideration inasmuch as it involves no significant increase in the probability of an accident, no significant increase in the consequences of an accident, nor does it involve a significant decrease in the safety margin.

Therefore, we have concluded that the ownership transfer may be authorized as requested. Enclosed is Amendment No. 1 to CPPR-113 for the Millstone Nuclear Power Station, Unit No. 3 which modifies the construction permit to reflect this change. Also enclosed is a copy of a related notice which has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by

D. B. Vassallo

D. B. Vassallo, Chief

Light Water Reactors Project Branch 1-1
Division of Reactor Licensing

Enclosures:

1. Amendment No. 1 to
Construction Permit No. CPPR-113
2. Federal Register Notice

cc: See page 3

SEE PREVIOUS YELLOW FOR PREVIOUS CONCURRENCES
(Retyped to incorporate change by OGC-ANTITRUST)

OFFICE ➤	LWR 1-1	LWR 1-1	AD:QA&O	OGC	OGC	LWR 1-1
SURNAME ➤	JLee	AWDromerick	DSkovholt	<i>Vassallo</i>	<i>Vassallo</i>	DBVassallo
DATE ➤	1/22/75	1/ /75	1/ /75	1/22/75	1/22/75	1/23/75

JAN 24 1975

cc: Mr. John J. Korkosz, Manager
City of Chicopee Electric
Light Department
725 Front Street
Chicopee, Massachusetts 01014

Mr. James E. Tribble
Assistant to the President
New England Electric System
20 Turnpike Road
Westborough, Massachusetts 06508

Mr. Bruce R. Garlick
Manager, Energy Supply
Fitchburg Gas and Electric
Light Company
655 Main Street
Fitchburg, Massachusetts 01421

Mr. Wardman K. Brooksbank, Manager
Town of South Hadley Electric
Light Department
85 Main Street
South Hadley, Massachusetts 01075

Mr. Ralph H. Wood
General Counsel
Public Service Company of
New Hampshire
1000 Elm Street
Manchester, New Hampshire 03101

C. Duane Blinn, Esq.
Day, Berry & Howard
One Constitution Plaza
Hartford, Connecticut 06103

John D. Fassett, Vice President
The United Illuminating Company
80 Temple Street
New Haven, Connecticut 06508

Mr. H. R. Nims, Manager
Nuclear Projects
Northeast Utilities Service Company
P. O. Box 270
Hartford, Connecticut 06101

Mr. Horace H. Brown
Director of Planning
Federal/State Relations
Department of Finance and Control
340 Capitol Avenue
Hartford, Connecticut 06115

Henry Kolbe, M.D.
Acting Commissioner of Public Health
Massachusetts Department of
Public Health
600 Washington Street
Boston, Massachusetts 02111

Honorable Philip W. Noel
Governor of Rhode Island
Providence, Rhode Island 02903

Dr. William E. Seymour, Staff Coord.
New York State Atomic Energy Council
New York State Department of
Commerce
112 State Street
Albany, New York 12207

Mr. Herbert J. Davis
First Selectman of the Town of
Waterford
Town Hall
Waterford, Connecticut 06385

Waterford Conservation Commission
Town Hall
200 Boston Post Road
Waterford, Connecticut 06385

Mr. Wallace Stickney
Environmental Protection Agency
JFK Federal Building
Boston, Massachusetts 02203

conclusion that the applicants are financially qualified to design and construct Millstone Nuclear Power Station, Unit No. 3.

~~Our antitrust review indicates that the proposed ownership change will not violate the antitrust laws.~~ Further, we have concluded that the activities authorized by this amendment can be conducted without endangering the health and safety of the public and that authorization of this amendment to the permit does not involve a significant hazards consideration inasmuch as it involves no significant increase in the probability of an accident, no significant increase in the consequences of an accident, nor does it involve a significant decrease in the safety margin.

Therefore, we have concluded that the ownership transfer may be authorized as requested. Enclosed is Amendment No. 1 to CPPR-113 for the Millstone Nuclear Power Station, Unit No. 3 which modifies the construction permit to reflect this change. Also enclosed is a copy of a related notice which has been forwarded to the Office of the Federal Register for publication.

Sincerely,

R. C. DeYoung, Assistant Director
for Light Water Reactors Group 1
Directorate of Licensing

The proposed ownership change is consistent with the advice provided by the Attorney General as part of the antitrust review of this application.

Enclosures:

1. Amendment No. 1 to Construction Permit No. CPPR-113
2. Federal Register Notice

cc: See page 3

*See previous concurrences.
Retyped to incorporate change by CGC-Antitrust.*

OGC

(SEE PREVIOUS CONCURRENCES) 1/ /75

OFFICE	LWR 1-1	LWR 1-1	AD:QA&O	OGC	LWR 1-1	AD:LWR 1
SURNAME	J Lee:mk	AWDromerick	DSkovholt		DBVassallo	RCDeYoung
DATE	1/2/75	1/ /75	1/ /75	1/ /75	1/ /75	1/ /75

Docket No. 50-423

Mr. Donald C. Switzer
President
Northeast Nuclear Energy Company
P. O. Box 270
Hartford, Connecticut 06101

Distribution

Docket File	MSlater
AEC PDR	CMiles
Local PDR	SKari
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MJinks (3)	JLee
RO (3)	DSkovholt
RCDeYoung	DBVassallo
CHebron	OGC - Antitrust
ABraitman	ACRS (16)
OGC - JCohen	
DMuller	
JPeterson	

Dear Mr. Switzer:

Your letter dated November 19, 1974, transmitted Amendment No. 26 to the License Application for the Millstone Nuclear Power Station, Unit No. 3. This amendment requested authorization of a transfer by the three lead participants (The Connecticut Light and Power Company, The Hartford Electric Light Company, and Western Massachusetts Electric Company) of an 0.121% ownership share to the City of Holyoke, Massachusetts Gas and Electric Department (Holyoke).

Based on our review of Amendment No. 26, we have concluded that the two matters for consideration are financial and antitrust aspects. There are no technical qualification considerations since Northeast Nuclear Energy Company retains responsibility for all technical aspects of construction and operation of the facility.

We have reviewed in detail Amendment No. 26 requesting approval of the above transfer of ownership; the Millstone 3 Sharing Agreement (particularly Section 24, "Default by Participant"); and the portions of the Atomic Safety and Licensing Board hearings dealing with the default provisions of the Sharing Agreement. The three lead participants provided in the Sharing Agreement (and reaffirmed in the hearings) that, in the absence of other acceptable solutions, the three lead participants will exercise their rights to take over and assume responsibility for the ownership share of an associate participant ~~(including Holyoke)~~ in the event of a five-month default by that participant. We have not changed our previous conclusion that the three lead participants are financially qualified to assume, if necessary, under the Sharing Agreement, 75% ownership. The purchase of the 0.121% interest by Holyoke from the three lead participants does not change the ultimate burden on the three lead participants (or add a burden to any other participant), but merely redistributes the 75% for which these three lead participants are ultimately responsible. Therefore, the purchase of this minor interest

OFFICE ➤						
SURNAME ➤						
DATE ➤						

Mr. Donald C. Switzer

- 2 -

by Holyoke does not affect our previous conclusion that the applicants are financially qualified to design and construct Millstone Nuclear Power Station, Unit No. 3.

Our antitrust review indicates that the proposed ownership change will not violate the antitrust laws. Further, we have concluded that ~~authorization of this amendment to the permit does not involve a significant hazards consideration, and that~~ the activities authorized by this amendment can be conducted without endangering the health and safety of the public.

Therefore, we have concluded that the ownership transfer may be authorized as requested. Enclosed is Amendment No. 1 to CPPR-113 for the Millstone Nuclear Power Station, Unit No. 3 which modifies the construction permit to reflect this change. Also enclosed is a copy of a related notice which has been forwarded to the Office of the Federal Register for publication.

Sincerely,

R. C. DeYoung, Assistant Director
for Light Water Reactors Group 1
Directorate of Licensing

Enclosures:

1. Amendment No. 1 to
Construction Permit No. CPPR-113
2. Federal Register Notice

cc: See page 3

and that authorization of this amendment to the permit does not involve a significant hazards consideration inasmuch as it involves no significant increase in the probability of an accident, no significant increase in the consequences of an accident, nor does it involve a significant decrease in the safety margin.

OGC

12/ /74

SEP 12/24/74

OFFICE →	LWR 1-1	LWR 1-1	AD:QA20	OGC	LWR 1-1	AD:LWR 1
SURNAME →	JLg:mk	AWD:omerick	DSK:volit		DBVassallo	RCDeYoung
DATE →	12/24/74	12/24/74	12/24/74	12/ /74	12/ /74	12/ /74

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL*

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO CONSTRUCTION PERMIT

Amendment No. 1
Construction Permit No. CPPR-113

1. The Nuclear Regulatory Commission (the Commission) having found that:
 - A. The application for amendment filed as Amendment No. 26 to the Application for License, dated November 19, 1974, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - C. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

*Construction Permit No. CPPR-113 was issued to the following:
Ashburnham Municipal Light Plant, Boylston Municipal Lighting Plant, Central Vermont Public Service Corporation, Chicopee Municipal Lighting Plant, City of Burlington, Vermont, The Connecticut Light and Power Company, Fitchburg Gas and Electric Light Company, Green Mountain Power Corporation, The Hartford Electric Light Company, Marblehead Municipal Light Department, Middleton Municipal Light Department, Montaup Electric Company, New England Power Company, North Attleborough Electric Department, Northeast Nuclear Energy Company, Paxton Municipal Light Department, Peabody Municipal Light Plant, Public Service Company of New Hampshire, Shrewsbury Light Plant, Templeton Municipal Lighting Plant, Town of South Hadley Electric Light Department, The United Illuminating Company, Vermont Electric Power Company, Inc., Wakefield Municipal Light Department, West Boylston Municipal Lighting Plant, Western Massachusetts Electric Company, Westfield Gas and Electric Light Department.



2. Accordingly, Construction Permit No. CPPR-113 is amended to reflect a change in the ownership of the facility as follows:

- A. Paragraph 3.G is amended by adding at the end thereof, the following:

The Connecticut Light and Power Company, The Hartford Electric Light Company, and Western Massachusetts Electric Company may transfer, from their aggregate 75% ownership share, such lesser ownership share to the following as is indicated:

City of Holyoke, Massachusetts Gas and Electric Department	0.121%
---	--------

- B. All references in Construction Permit No. CPPR-113 to "applicants" include the City of Holyoke, Massachusetts Gas and Electric Department.
3. This amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



D. B. Vassallo, Chief
Light Water Reactors Project Branch 1-1
Division of Reactor Licensing

Date of Issuance: January 24, 1975

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL*

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO CONSTRUCTION PERMIT

Amendment No. 1
Construction Permit No. CPPR-113

1. The Atomic Energy Commission (the Commission) having found that:
 - A. The application for amendment filed as Amendment No. 26 to the Application for License, dated November 19, 1974, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - C. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

*Construction Permit No. CPPR-113 was issued to the following:
Ashburnham Municipal Light Plant, Boylston Municipal Lighting Plant, Central Vermont Public Service Corporation, Chicopee Municipal Lighting Plant, City of Burlington, Vermont, The Connecticut Light and Power Company, Fitchburg Gas and Electric Light Company, Green Mountain Power Corporation, The Hartford Electric Light Company, Marblehead Municipal Light Department, Middleton Municipal Light Department, Montaup Electric Company, New England Power Company, North Attleborough Electric Department, Northeast Nuclear Energy Company, Paxton Municipal Light Department, Peabody Municipal Light Plant, Public Service Company of New Hampshire, Shrewsbury Light Plant, Templeton Municipal Lighting Plant, Town of South Hadley Electric Light Department, The United Illuminating Company, Vermont Electric Power Company, Inc., Wakefield Municipal Light Department, West Boylston Municipal Lighting Plant, Western Massachusetts Electric Company, Westfield Gas and Electric Light Department.

OFFICE ►						
SURNAME ►						
DATE ►						

2. Accordingly, Construction Permit No. CPPR-113 is amended to reflect a change in the ownership of the facility as follows:

A. Paragraph 3.G is amended by adding at the end thereof, the following:

The Connecticut Light and Power Company, The Hartford Electric Light Company, and Western Massachusetts Electric Company may transfer, from their aggregate 75% ownership share, such lesser ownership share to the following as is indicated:

City of Holyoke, Massachusetts Gas and Electric Department 0.121%

B. All references in Construction Permit No. CPPR-113 to "applicants" include the City of Holyoke, Massachusetts Gas and Electric Department.

3. This amendment is effective as of the date of its issuance.

FOR THE ATOMIC ENERGY COMMISSION

Vassallo
R. C. DeYoung, Assistant Director
for Light Water Reactors Group 1
Directorate of Licensing

Date of Issuance:

SEE PREVIOUS YELLOW FOR PREVIOUS CONCURRENCES
(Retyped to make editorial changes)

OFFICE	LWR 1-1	OGC	OGC	LWR 1-1	AD:LWR 1	
SURNAME	JL DeYoung			DB Vassallo	RC DeYoung	
DATE	1/2/75	1/ /75	1/ /75	1/ /75	1/ /75	



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL*

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO CONSTRUCTION PERMIT

Amendment No. 1
Construction Permit No. CPPR-113

1. The Atomic Energy Commission (the Commission) having found that:
 - A. The application for amendment filed as Amendment No. 26 to the Application for License, dated November 19, 1974, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - C. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

*Construction Permit No. CPPR-113 was issued to the following:
Ashburnham Municipal Light Plant, Boylston Municipal Lighting Plant, Central Vermont Public Service Corporation, Chicopee Municipal Lighting Plant, City of Burlington, Vermont, The Connecticut Light and Power Company, Fitchburg Gas and Electric Light Company, Green Mountain Power Corporation, The Hartford Electric Light Company, Marbleton Municipal Light Department, Middleton Municipal Light Department, Montaup Electric Company, New England Power Company, North Attleborough Electric Department, Northeast Nuclear Energy Company, Paxton Municipal Light Department, Peabody Municipal Light Plant, Public Service Company of New Hampshire, Shrewsbury Light Plant, Templeton Municipal Lighting Plant, Town of South Hadley Electric Light Department, The United Illuminating Company, Vermont Electric Power Company, Inc., Wakefield Municipal Light Department, West Boylston Municipal Lighting Plant, Western Massachusetts Electric Company, Westfield Gas and Electric Light Department.

2. Accordingly, Construction Permit No. CPPR-113 is amended to reflect a change in the ownership of the facility as follows:

A. Paragraph ³G. is amended by adding at the end thereof, the following:

The Connecticut Light and Power Company, The Hartford Electric Light Company, and Western Massachusetts Electric Company may transfer, from their aggregate 75% ownership share, such lesser ownership share to the following as is indicated:

City of Holyoke, Massachusetts Gas and Electric Department 0.121%

B. All references in Construction Permit No. CPPR-113 to "applicants" include the City of Holyoke, Massachusetts Gas and Electric Department.

3. This amendment is effective as of the date of its issuance.

FOR THE ATOMIC ENERGY COMMISSION

R. C. DeYoung, Assistant Director
for Light Water Reactors Group 1
Directorate of Licensing

Date of Issuance:

OFFICE	LWR 1-1	LWR 1-1	AD/CASO	OGC	LWR 1-1	AD/LWR1
SURNAME	Lee	Dromerick	Skeinholt		Vassallo	DeYoung
DATE	12/24/74	12/24/74	12/24/74	/ /	/ /	/ /

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-423

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL*

NOTICE OF ISSUANCE OF AMENDMENT TO

CONSTRUCTION PERMIT

Notice is hereby given that the U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 1 to Construction Permit No. CPPR-113 issued to the Northeast Nuclear Energy Company, et al. The amendment reflects a change in ownership of Millstone Nuclear Power Station, Unit No. 3 (the facility), located in New London County, Connecticut. The amendment is effective as of its date of issuance.

The amendment permits the City of Holyoke, Massachusetts Gas and Electric Department to become one of the joint owners of the facility.

*Construction Permit No. CPPR-113 was issued to the following: Ashburnham Municipal Light Plant, Boylston Municipal Lighting Plant, Central Vermont Public Service Corporation, Chicopee Municipal Lighting Plant, City of Burlington, Vermont, The Connecticut Light and Power Company, Fitchburg Gas and Electric Light Company, Green Mountain Power Corporation, The Hartford Electric Light Company, Marblehead Municipal Light Department, Middleton Municipal Light Department, Montaup Electric Company, New England Power Company, North Attleborough Electric Department, Northeast Nuclear Energy Company, Paxton Municipal Light Department, Peabody Municipal Light Plant, Public Service Company of New Hampshire, Shrewsbury Light Plant, Templeton Municipal Lighting Plant, Town of South Hadley Electric Light Department, The United Illuminating Company, Vermont Electric Power Company, Inc., Wakefield Municipal Light Department, West Boylston Municipal Lighting Plant, Western Massachusetts Electric Company, Westfield Gas and Electric Light Department.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the amendment.

For further details with respect to this action, see (1) the application for amendment dated November 19, 1974, (2) Amendment No. 1 to Construction Permit No. CPPR-113, and (3) the Commission's related Safety Evaluation contained in the Commission's letter to Northeast Nuclear Energy Company. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut.

A copy of item (2) may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director of the Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 24th day of January, 1975.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by
D. E. Vassallo

D. E. Vassallo, Chief
Light Water Reactors Project Branch 1-1
Division of Reactor Licensing

SEE PREVIOUS YELLOW FOR PREVIOUS CONCURRENCES
(Retyped to make editorial changes)

OFFICE ➤	LWR 1-1	OGC	LWR 1-1		
SURNAME ➤	JLee:mk	Gallo	DB Vassallo		
DATE ➤	1/22/75	1/22/75	1/23/75		

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the amendment.

For further details with respect to this action, see (1) the application for amendment dated November 19, 1974, and (2) Amendment No. 1 to Construction Permit No. CPPR-113. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut.

A copy of item (2) may be obtained upon request addressed to the U. S. Atomic Energy Commission, Washington, D. C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing - Regulation.

Dated at Bethesda, Maryland, this day of

FOR THE ATOMIC ENERGY COMMISSION

D. B. Vassallo, Chief
Light Water Reactors Project Branch 1-1
~~Directorate of Licensing~~
Division of Reactor Licensing

OFFICE ➤	LWR 1-1	LWR 1-1	OGC	LWR 1-1		
SURNAME ➤	Lee	Dromerick		Vassallo		
DATE ➤	12/24/74	12/24/74	/ /	/ /		

PRELIMINARY DETERMINATION - NOTICING OF
PROPOSED LICENSING AMENDMENT

Licensee: Northeast Nuclear Energy Company, et al

Request for: Amendment to Construction Permit to provide
for transfer of ownership interest (0.121%)
to the City of Holyoke, Mass. Gas & Elec. Co.

Request Date: November 19, 1974

Proposed Action: () Pre-notice Recommended
(x) Post-notice Recommended
() Determination delayed pending
completion of Safety Evaluation

Basis for Decision:

Since no significant hazards considerations are involved
in this action, pre-notice is not necessary.

CONCURRENCES:

1. (LPM) AWD A. W. Dromerick
2. (Branch Chief) D.B. Vassallo
3. (Assistant Director) R. C. DeYoung
4. (OGC) Gallo J. Gallo

JAN 24 1975

December 20, 1974

MEMO TO: Domenic B. Vassallo
Chief, LWR BR 1-1

RE: MILLSTONE NUCLEAR POWER STATION, UNIT 3 - AMENDMENT NO. 26 TO
LICENSE APPLICATION AND APPLICATION FOR PARTIAL TRANSFER OF
CONSTRUCTION PERMIT - DOCKET NO. 50-423A

On December 2, 1974 we forwarded a copy of amendment No. 26 to the license application for the Millstone Nuclear Power Station Unit 3 to the Department of Justice for its information. The amendment was submitted to enable the transfer of a portion of the ownership rights to the facility to the City of Holyoke, Massachusetts Gas and Electric Department.

The Attorney General, in concluding in its letter of advice of August 10, 1973, that a hearing on the antitrust impact of the Millstone Unit 3 was not necessary, considered ownership participation by Holyoke in its review. While ownership participation was considered by the Attorney General the amount of the participation was unknown at that time. Amendment No. 26 indicates that the City of Holyoke will participate in the Millstone Unit in the amount of 0.121% ownership interest.

It is our opinion that the inclusion of the City of Holyoke on the permit as an ownership participant in the amount of 0.121% is consistent with the advice provided by the Attorney General. Accordingly, we will concur, as far as antitrust is concerned, in any determination to issue the amended license.


Joseph Rubberg
Antitrust Counsel for
AEC Regulatory Staff

cc: Howard K. Shapar
Abraham Braitman