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FROM: Department of Justice Washington, D. C. 20530 Thomas E. Kauper		DATE OF DOC 12-17-73	DATE REC'D 12-26-73	LTR X	MEMO	RPT	OTHER
TO: Mr. Shaper		ORIG 1	CC	OTHER	SENT AEC PDR SENT LOCAL PDR		
CLASS UNCLASS XXX	PROP INFO	INPUT	NO CYS REC'D 1	DOCKET NO: 50-438A <u>50-439A</u>			
DESCRIPTION: Ltr furnishing info re Anti-Trust matters relating to the Bellefonte Units 1 & 2.....				ENCLOSURES:  <b>ACKNOWLEDGED</b> Do Not Remove			
PLANT NAME: Bellefonte Units 1 & 2							

FOR ACTION/INFORMATION

12-27-73

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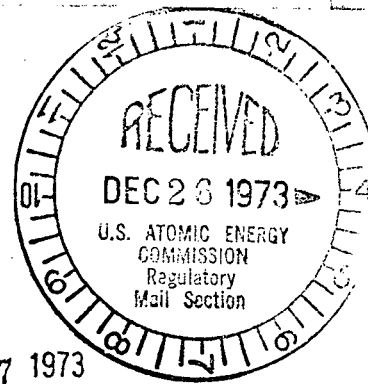
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ASSISTANT ATTORNEY GENERAL  
ANTITRUST DIVISION

Department of Justice  
Washington, D.C. 20530



DEC 17 1973

Howard Shapar, Esquire  
Associate General Counsel  
Atomic Energy Commission  
Washington, D. C. 20445

Re: Tennessee Valley Authority  
Bellefonte Nuclear Plant Units 1 & 2  
AEC Docket Nos. 50-438A and 50-439A

Dear Mr. Shapar:

You have requested our advice pursuant to Section 105 of the Atomic Energy Commission Act of 1954, as amended by P.L. 91-560, in regard to the above-captioned application. The Bellefonte Plant would consist of two 1,170 MW units, the first of which is scheduled for operation in September 1979 and the second which is scheduled for June 1980. The total estimated cost of the project is approximately \$800,000,000.

On December 11, 1972 the Department of Justice rendered antitrust advice to the Commission regarding Tennessee Valley Authority's application for construction permits for its proposed Watts Bar Nuclear Plant. We have examined the information submitted by applicant in connection with the present application, as well as other pertinent information with respect to applicant's competitive relationships, which has become available during the past year. None of the foregoing information provides any basis for changing the conclusions which we set forth with regard to the Watts Bar application. Our conclusion therefore is that, so far as we are aware, there are no antitrust problems which would require a hearing by your Commission on the instant application.

Sincerely yours,

*Thomas E. Kauper*  
THOMAS E. KAUPER  
Assistant Attorney General  
Antitrust Division

