

SEP 15 1978

Docket Nos. ~~50-27542~~
50-323A
P-564A

Pacific Gas and Electric Company
ATTN: Mr. John C. Morrissey
Vice President and General Counsel
77 Beale Street
San Francisco, CA 94106

Re: Diablo Canyon Nuclear Plant,
Units 1 and 2

Gentlemen:

In a letter dated April 30, 1976, addressed to the Assistant Attorney General, Antitrust Division, U. S. Department of Justice, the President of the Pacific Gas and Electric Company stated as follows:

"Pacific Gas and Electric Company is herewith submitting to the U. S. Department of Justice the attached statement of commitments. PGandE is willing to have the commitments included as conditions in the construction permit and operating license issued by the Nuclear Regulatory Commission for construction and operation of the proposed Stanislaus Nuclear Project, Unit 1, if the Attorney General will advise the Nuclear Regulatory Commission that no antitrust hearing is necessary in connection with the licensing of the unit. In the event that PGandE's application for a construction permit for the Stanislaus Nuclear Project Unit 1 is withdrawn, or that a construction permit for such unit is not issued by the Nuclear Regulatory Commission prior to July 1, 1978, PGandE is willing to have its license(s) for Diablo Canyon Nuclear Power Plant, Units 1 and 2, amended to incorporate the commitments."

On May 5, 1976, the Assistant Attorney General advised the Nuclear Regulatory Commission that, if licenses issued by the NRC to the Company for the Stanislaus Project were conditioned to include the Company's Statement of Commitments, an antitrust hearing would not be necessary.

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To date a construction permit for the Stanislaus Nuclear Project Unit 1 has not been issued. Accordingly, in keeping with the above quoted Company commitment, this is to advise you that it is our present intention to amend Construction Permits CPPR-39 and CPPR-69 issued to the Company on April 23, 1968 and December 9, 1970, respectively, for Diablo Canyon Nuclear Plant, Units 1 and 2 to incorporate as conditions the Statement of Commitments appended to the Company's letter of April 30, 1976. We expect these amendments to be issued pursuant to the Commission's regulations sometime in October.

Sincerely,

/s/ JEROME SALTZMAN

Jerome Saltzman, Chief
Antitrust and Indemnity Group
Office of Nuclear Reactor Regulation

cc: Donald A. Kaplan, DOJ

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