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ACCESSION NBR: 8008050040 DOC. DATE: 80/07/28 NOTARIZED: NO
 FACIL: 50-389 St. Lucie Plant, Unit 2, Florida Power & Light Co.
 AUTH. NAME AUTHOR AFFILIATION
 LITRACK, S.M. Justice, Dept. of, Attorney General's Office
 RECIP. NAME RECIPIENT AFFILIATION
 SHAPAR, H.K. Office of the Executive Legal Director

DOCKET #
05000389

AT 2

SUBJECT: Informs that proposed amend, allowing City of Orlando, FL & Orlando Util Commission to become co-owners of facility, would not be inconsistent w/antitrust laws. No antitrust hearing necessary.

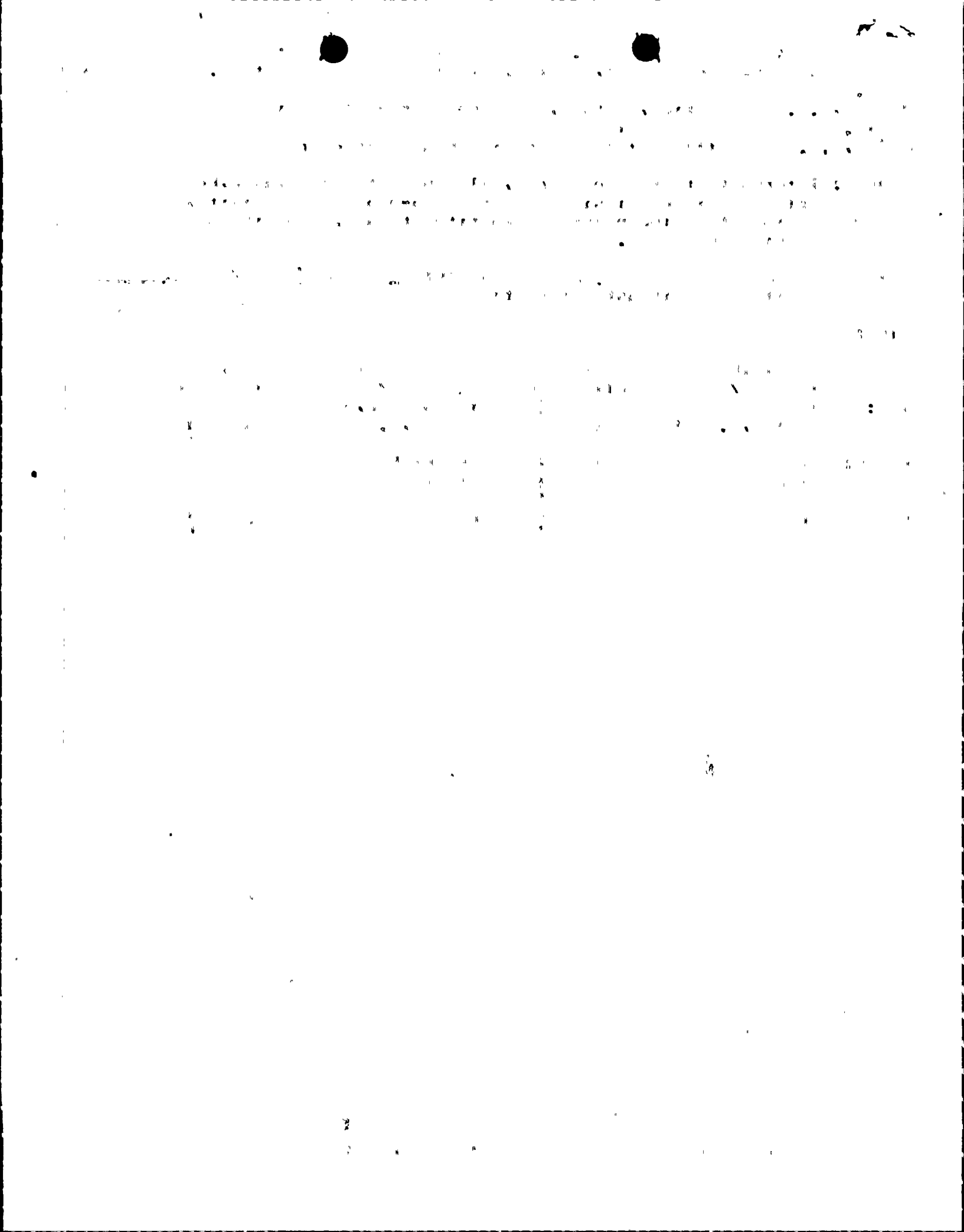
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ASSISTANT ATTORNEY GENERAL
ANTITRUST DIVISION

United States Department of Justice

WASHINGTON, D.C. 20530

28 JUL 1980

REGULATORY DOCKET FILE COPY

Howard K. Shapar
Executive Legal Director
United States Nuclear Commission
Washington, D.C. 20555

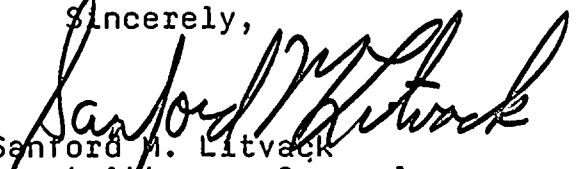
Re: Florida Power & Light Company
(St. Lucie Nuclear Generating
Station, Unit No. 2) NRC Docket
No. 50-389A

Dear Mr. Shapar:

You have requested our advice pursuant to Section 105(c) of the Atomic Energy Act, as amended, regarding a proposed amendment to the construction permit of the above referenced nuclear unit to allow the City of Orlando, Florida and Orlando Utilities Commission (collectively referred to as "Orlando") to become a co-owner of that unit. You have informed us that the Orlando Utilities Commission is part of the government of the City of Orlando but title to real estate is normally taken in the name of both the City of Orlando and the Orlando Utilities Commission. Orlando will acquire a 6.08951 percent ownership share of St. Lucie Unit No. 2 which will be operated by Florida Power & Light Co.

Our review of the information submitted for antitrust review purposes, as well as other information available to the Department, provides no basis at this time to conclude that the participation in St. Lucie Unit No. 2 by Orlando would create or maintain a situation inconsistent with the antitrust laws. Accordingly, it is the Department's view that no antitrust hearing is necessary with respect to the proposed amendment to the construction permit.

Sincerely,


Sanford M. Litvack
Assistant Attorney General
Antitrust Division

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TO THE CLERK OF THE SUPREME COURT

IN RE: [Illegible Name]

[Illegible text block]

IN WITNESS WHEREOF, I have hereunto set my hand and seal this [illegible] day of [illegible] 19[illegible]

[Illegible signature]