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WASHINGTON, D. C. 20036

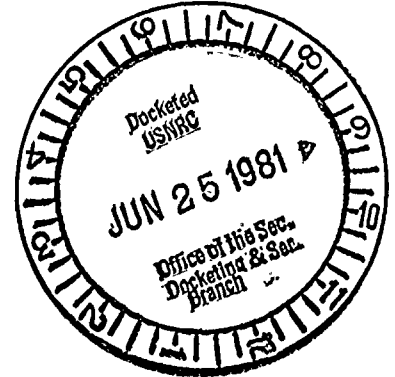
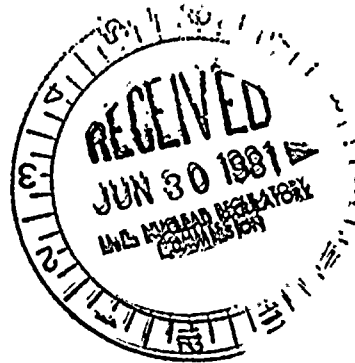
202-862-8400

June 22, 1981

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Mr. Samuel J. Chilk
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chilk:

I am in receipt of a letter of June 11, 1981, addressed to you by counsel for Parsons & Whittemore, Inc. As Mr. Bouknight is on vacation, and I have been out of town, we have been able to turn our attention to this letter only today. It merits only the following brief response.

1. This exchange of letters began when Parsons & Whittemore's President transmitted a letter to the Commissioners themselves. That letter was not a pleading, was not submitted in the context of any proceeding pending before the Commission or in accordance with any of the Commission's rules. What prompted FPL's response to it was the inclusion of condemnatory statements about FPL, and the omission of facts which FPL believes must be considered before the Commission can reach any judgment on either the legal or equitable merits of Parsons & Whittemore's position. If anything is clear from counsel's June 11 letter, it is that those facts, particularly the underlying contractual disputes involving Parsons & Whittemore, Dade County, and FPL, are at the heart of any objective evaluation of Parsons & Whittemore's claims.

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APP:
J. Rutberg
A.L. Tolston

2. This is not the place to respond to the rhetoric in Parsons & Whittemore's June 11, 1981 letter. That the facts are subject to interpretations less benign than that suggested



Mr. Samuel J. Chilk

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June 22, 1981

by Parsons & Whittemore's counsel is quite apparent. 1/
It is FPL's belief that when those facts are brought before
the Commission in a proper context, it will be plain that
Parsons & Whittemore has no valid basis, procedurally or
substantively, upon which to participate in any antitrust
proceeding before the NRC. 2/

Respectfully submitted,



Douglas G. Green
Counsel for Florida Power &
Light Company

cc: Service List

1/ Whether or not Dade County has made payment to Parsons & Whittemore, FPL's prior letter did not so suggest. It did quote from a passage in a recent Complaint filed against P&W by the County in which Dade County alleges that: (1) the entire contract purchase price of the facility and equipment, \$128 million, has been placed in an escrow account by the County, to be paid upon receipt of adequate assurance of performance by P&W; (2) P&W has failed to meet performance conditions which are an agreed precondition to any payment, and has repudiated its contractual obligations; and (3) apparently P&W has refused to honor its legal commitments until and unless someone agrees to pay P&W more money than the contract provides. E.g., Complaint, paras. 33, 38-40.

2/ Parsons & Whittemore has adamantly resisted FPL's efforts to obtain these facts. For example, in Docket No. 50-389A, Parsons & Whittemore has even resisted the issuance of subpoenas for the pertinent documents contained in its files.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
FLORIDA POWER & LIGHT COMPANY) Docket No. 50-389A
)
(St. Lucie Nuclear Power Plant)
Unit No. 2))

CERTIFICATE OF SERVICE

I hereby certify that copies of letter to Mr. Samuel J. Chilk, Secretary of the Commission, dated June 22, 1981, was served upon the following persons by hand delivery* or by deposit in the U.S. Mail, first class, postage prepaid this 23d day of June 1981.

Ivan W. Smith, Esquire
Chairman
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U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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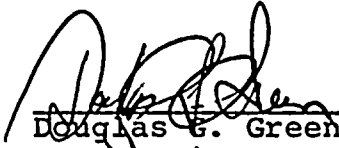
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD PANEL
WASHINGTON, D.C. 20555

REQUEST FOR REPORTING SERVICE
Work Order No. ARC-LB- 94-C

Hearing cancelled
Case settled

Lot - 1

Proceeding: St. Lucie Plant, Unit 2 Antitrust Prehearing Conf. Docket No.(s) 50-389-A

Location of: Prehearing _____

Hearing _____

Meeting _____

PERSON TO CONTACT AT HEARING LOCATION _____ Phone: _____

Estimated Duration: Prehearing _____ Hearing _____ Meeting _____

Date ---- Prehearing _____ Hearing _____ Meeting _____

Time of: ----- Prehearing _____ Hearing _____ Meeting _____

TRANSCRIPT SERVICE REQUIRED: Prehearing _____

NOTE:

Give exact number of copies for Board, Staff(ELD) or others & when & where to be delivered.

Hearing _____

Meeting _____

In all "In Camera" Hearings, 3 copies for Board, 2 copies ELD, and 1 original are required.

Board Chairman _____ Members _____ / _____ / _____

Type of Proceeding: _____

Copies of transcript may (may not) be sold.

Begin pagination of transcript with _____

Date of oral request to Reporting Co. and person contacted. Date _____

Contact _____

Date of written confirmation _____

bcc: PBloch Fouchard
ASLBP Madelyn Rushbrook
ASLAB ELD
Central Files MPage (286-SS)

By: _____
Atomic Safety & Licensing Board Panel
Docket Unit



NUCLEAR ENERGY ADMINISTRATION
ATOMIC SAFETY AND LICENSING BOARD PANEL
WASHINGTON, D.C. 20545

REQUEST FOR REPORTING SERVICE
Work Order No. ARC-LB- 94-B

- Amended to denote that hearing may be extended one additional day*.

Lot - 1

Proceeding: St. Lucie Plant, Unit 2 Antitrust Prehearing Conf. Docket No. (s) 50-389-A

Location of: Prehearing U.S. Court House & Federal Bldg.
299 E. Broward Blvd. Room 203A 2nd floor central
Ft. Lauderdale, Florida 33301

Hearing _____ If there is any problem getting into room, see security in room. 103

Meeting _____

PERSON TO CONTACT AT HEARING LOCATION Walter McCloud (GSA) Phone: 820-726527-7265

Estimated Duration: Prehearing 1 day Hearing _____ Meeting _____
(might be two days)

Date * 2/9/82 - 2/10/82 Prehearing X Hearing _____ Meeting _____

Time of: 9:00 a.m. - 5:00 p.m. Prehearing X Hearing _____ Meeting _____

TRANSCRIPT SERVICE REQUIRED: Prehearing Original & 5 copies go to Anita McNamara
4350 East/West Highway
Bethesda, MD

NOTE: Hearing _____ If hearing goes to 2nd day, 1st day copies delivered to Board & Staff at hearing (5) and orig. expedited to Anita McNamara, Room 432, Bethesda.
Meeting _____ Original copy goes to Anita McNamara
3 copies to Board & 2 to Staff

Give exact number of copies for Board, Staff (ELD) or others & when & where to be delivered.
In all "In Camera" Hearings, 3 copies for Board, 2 copies ELD, and 1 original are required.

Board Chairman Peter B. Bloch Members Michael A. Duggan Robert M. Lazo

Type of Proceeding: Antitrust

Copies of transcript may (~~XXXXXX~~) be sold. Begin pagination of transcript with 1449

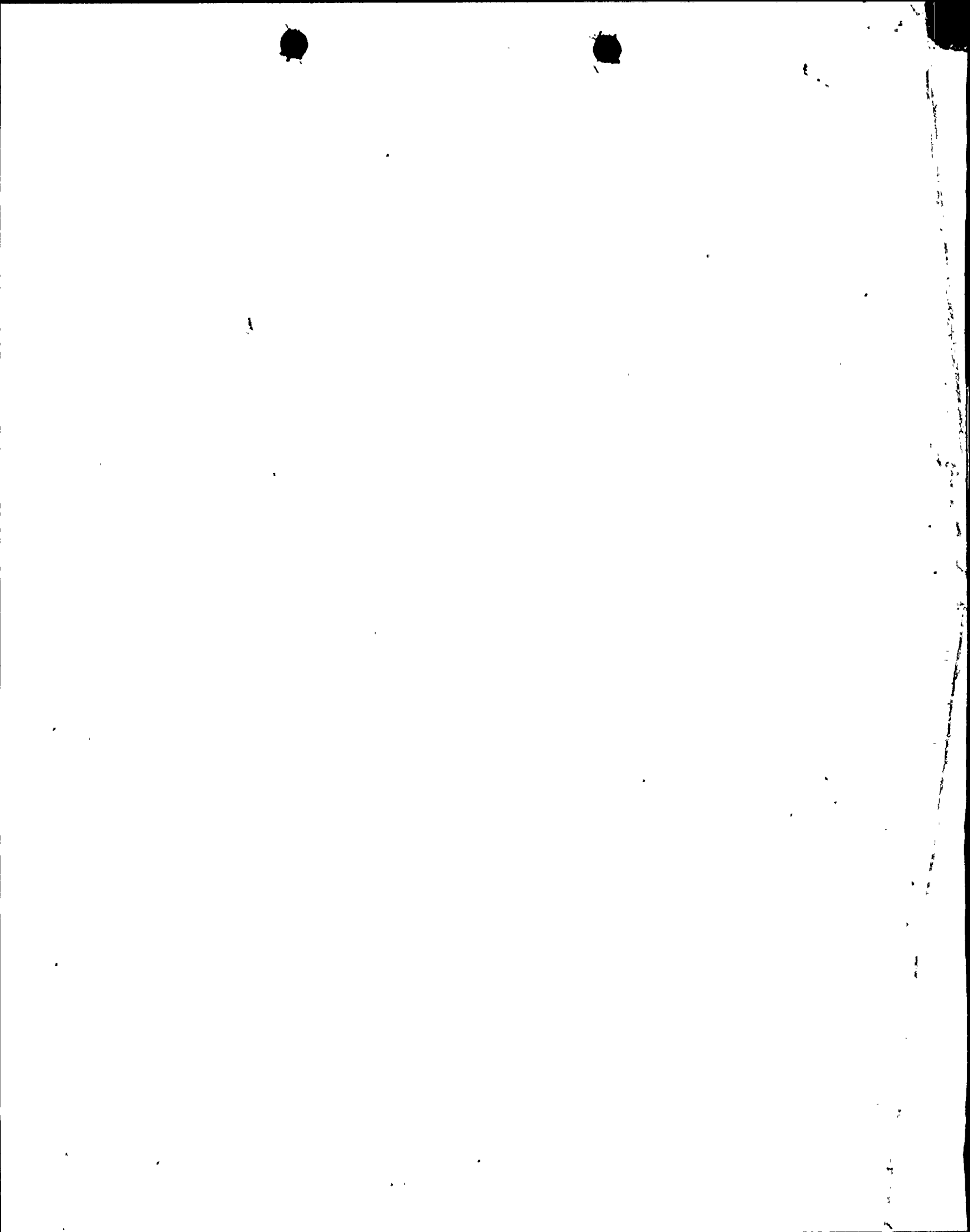
Date of oral request to Reporting Co. and person contacted. Date 1/25/82

Contact 1/25/82

Date of written confirmation 1/24/82

By: Anita J. McNamara
Atomic Safety & Licensing Board Panel
Docket Unit

cc: PBloch Fouchard
ASLEP Madelyn Rushbrook
ASLAB ELD
Central Files Page (286-SS)





UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 ATOMIC SAFETY AND LICENSING BOARD PANEL
 WASHINGTON, D.C. 20555

REQUEST FOR REPORTING SERVICE
 Work Order No. ARC-LB- 94-A

Lot - 1

Proceeding: St. Lucie Plant, Unit 2 Antitrust Prehearing Conf. Docket No.(s) 50-389-A

Location of: Prehearing U.S. Court House & Federal Bldg.
299 E. Broward Blvd. Room 203A 2nd floor central
Ft. Lauderdale, Florida 33301

Hearing _____ If there is any problem
 getting into room, see security
 in room.103

Meeting _____

PERSON TO CONTACT AT HEARING LOCATION Walter McCloud (GSA) Phone: 820-7260
527-7260

Estimated Duration: Prehearing 1 day Hearing _____ Meeting _____

Date 2/9/82 Prehearing X Hearing _____ Meeting _____

Time of: 9:00 a.m. - Prehearing X Hearing _____ Meeting _____
5:00 p.m.

TRANSCRIPT SERVICE REQUIRED: Prehearing Original & 5 copies go to Anita McNamara
4350 East/West Highway
 NOTE: Hearing Bethesda, MD

Give exact number of copies
 for Board, Staff(ELD) or
 others & when & where to
 be delivered.

Meeting _____
Original copy goes to Anita McNamara
3 copies to Board & 2 to Staff

In all "In Camera" Hearings,
 3 copies for Board, 2 copies ELD,
 and 1 original are required.

Board Chairman Peter B. Bloch Members Michael A. Duggan Robert M./Lazo

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Date of oral request to Reporting Co. and
 person contacted. Date _____ Contact _____

Date of written confirmation _____ By: _____
 bcc: PBloch Fouchard Atomic Safety & Licensing Board Panel
 ASLBP Madelyn Rushbrook Docket Unit
 ASLAB ELD
 Central Files ✓ MPage (286-SS)