



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 26, 1995

Robert A. Jablon, Esq.
Spiegel & McDiarmid
1350 New York Avenue, N.W.
Washington, D.C. 20005-4798

Dear Mr. Jablon:

In your petition of July 2, 1993, you filed a motion on behalf of the Florida Municipal Power Agency (FMPA) requesting, pursuant to 10 CFR 2.206, that the U.S. Nuclear Regulatory Commission (NRC) take certain enforcement actions against the Florida Power & Light Company (FPL) for allegedly violating certain antitrust license conditions applicable to Unit 2 of the St. Lucie Plant.

My decision (DD-95-10) denying your request regarding the issues raised in your petition is enclosed (Enclosure 1). In denying your request for enforcement actions against FPL, I have relied on, among other things, the testimony and findings in a parallel proceeding at the Federal Energy Regulatory Commission (FERC)--primarily, FERC order dated May 11, 1994 (67 F.E.R.C. P61,167; 1994)--requiring FPL to provide network transmission service to FMPA.

A copy of the enclosed Director's Decision has been referred to the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c). For your information, I am also enclosing the letter to Florida Power and Light Company (Enclosure 2) and the Federal Register notice (Enclosure 3).

Sincerely,

William T. Russell, Director
Office of Nuclear Reactor Regulation

Docket No. 50-389A

Enclosures:

1. Director's Decision (DD-95-10)
2. Letter to FPL
3. Federal Register Notice

cc: LABouknight, Esq.