



U.S. Department of Justice
Antitrust Division

File

Office of the Assistant Attorney General

Washington, D.C. 20530

October 25, 1982

Mr. Guy H. Cunningham, III
Executive Legal Director
United States Nuclear
Regulatory Commission
Washington, D.C. 20555

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

Dear Mr. Cunningham:

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 units to allow the Florida Municipal Power Agency ("FMPA") to become a co-owner of these units. FMPA will acquire an 8.806 percent ownership interest in St. Lucie, Unit 2, which will be operated by Florida Power & Light Company.

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 2 by FMPA 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 yours,

William F. Baxter
Assistant Attorney General
Antitrust Division

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