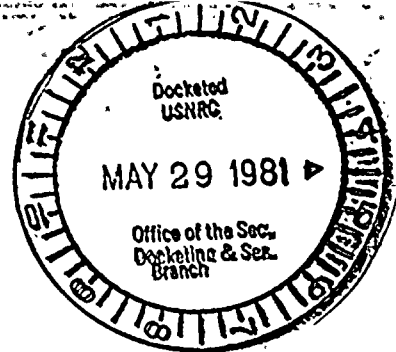


5/28/81



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of
FLORIDA POWER & LIGHT COMPANY
(St. Lucie Plant, Unit Nos. 1
and 2)

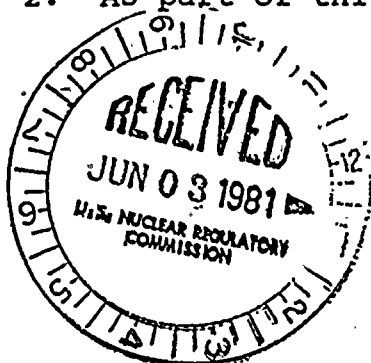
FLORIDA POWER & LIGHT COMPANY
(Turkey Point Plant, Unit Nos. 3
and 4)

Docket No. 50-335A
50-389A

Docket No. 50-250A
50-251A

MOTION OF THE DEPARTMENT OF JUSTICE
TO WITHDRAW ITS REQUEST THAT THE
NUCLEAR REGULATORY COMMISSION CONDUCT A
PROCEEDING AGAINST FLORIDA POWER & LIGHT COMPANY
UNDER SECTION 105a OF THE
ATOMIC ENERGY ACT

On August 25, 1978 in its Response of the Department of Justice the Department of Justice ("Department") requested that the Nuclear Regulatory Commission institute a proceeding against Florida Power & Light Company ("FP&L") under Section 105a of the Atomic Energy Act (42 U.S.C. § 2135(a)) by reason of the decision in Gainseville Utilities Department v. Florida Power & Light Company, 573 F.2d 292 (5th Cir.), cert. denied, 439 U.S. 966 (1978). On September 12, 1980, the Department, the Nuclear Regulatory Commission Staff and FP&L reached a settlement of the differences between them, whereby FP&L consented to incorporating a set of conditions into the license for St. Lucie Plant, Unit No. 2. As part of this settlement



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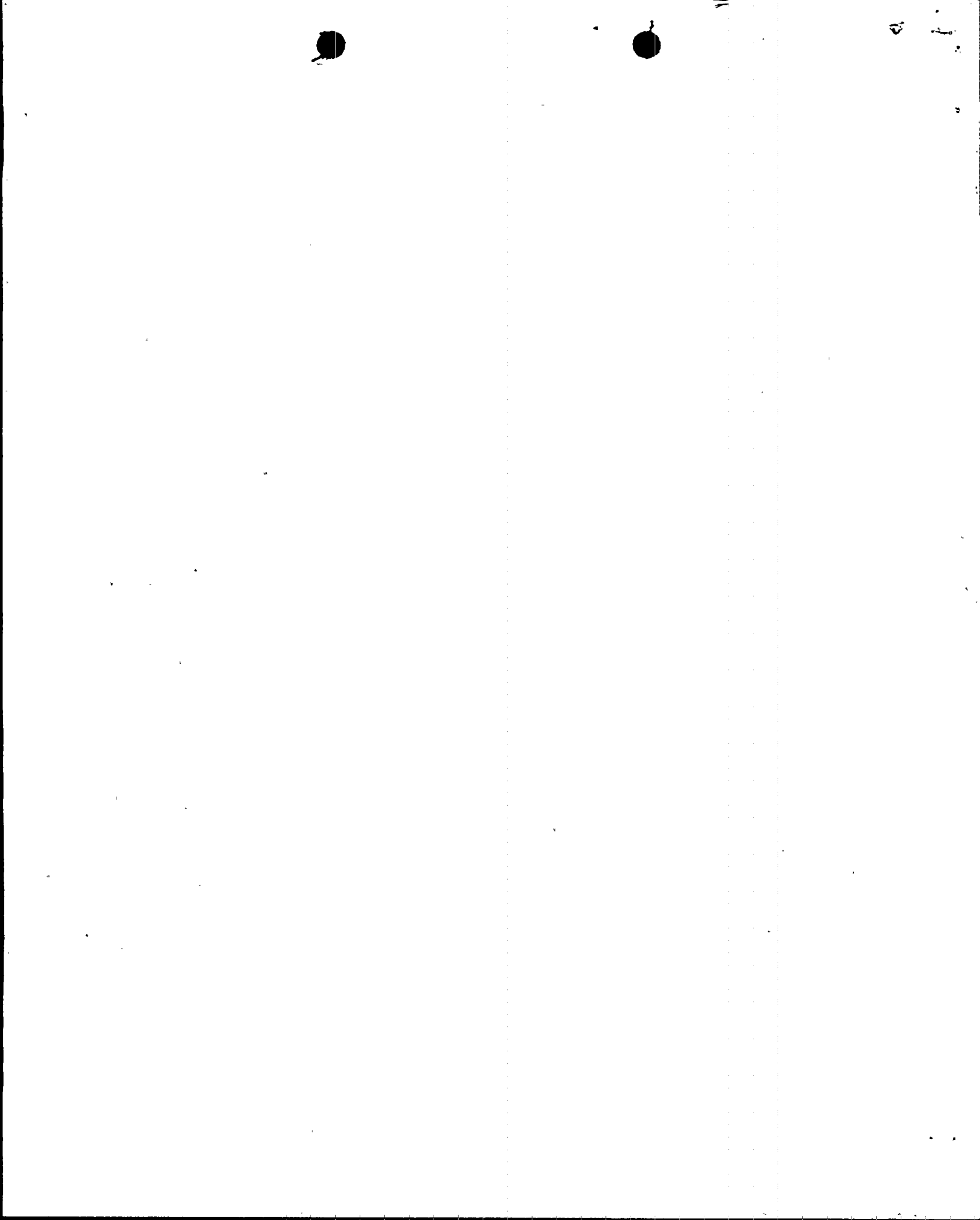


the Department agreed that if the proposed license conditions were made effective immediately (without prejudice to the Atomic Safety and Licensing Board's ("Board") authority to impose different or additional conditions after a hearing) it would withdraw its request that a 105a proceeding be instituted. On April 24, 1981, the Board issued a Memorandum and Order making the settlement license conditions effective immediately. Therefore, pursuant to its agreement, the Department hereby withdraws its request that this Commission institute a proceeding under Section 105a of the Atomic Energy Act.

Respectfully submitted,



Janet R. Urban
Attorney
Energy Section
Antitrust Division



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of
FLORIDA POWER & LIGHT COMPANY
(St. Lucie Plant, Unit Nos. 1
and 2)

Docket No. 50-335A
50-389A

FLORIDA POWER & LIGHT COMPANY
(Turkey Point Plant, Unit Nos. 3
and 4)

Docket No. 50-250A
50-251A

CERTIFICATE OF SERVICE

I hereby certify that copies of Motion of the Department of Justice to Withdraw It's Request that the Nuclear Regulatory Commission Conduct a Proceeding Against Florida Power & Light Company Under Section 105a of the Atomic Energy Act in the above captioned proceeding have been served on the following by deposit in the United States Mail, first class, this 28 day of May, 1981.

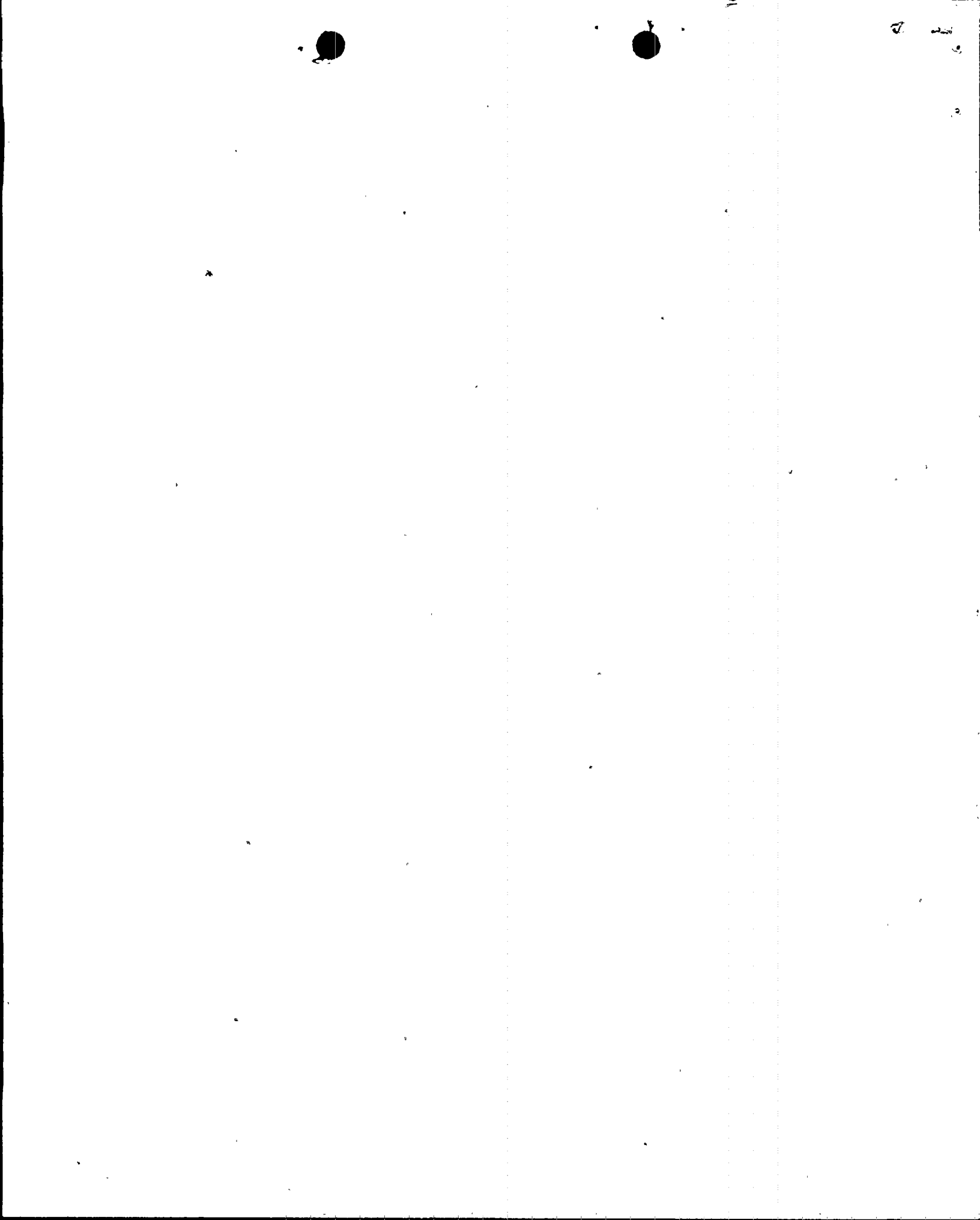
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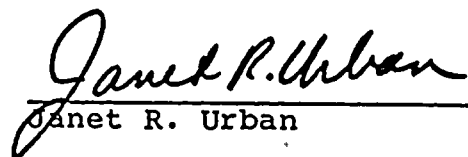
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