

NRC DISTRIBUTION FOR PART 50 DOCKET MATERIAL

FILE NUMBER
ANTI-TRUST

TO:

Mr. Howard K. Shapar

FROM:
Dept. of Justice
Washington, D. C.
John H. Shenefield

DATE OF DOCUMENT
7/28/77

DATE RECEIVED
8/5/77

LETTER
 ORIGINAL
 COPY

NOTORIZED
 UNCLASSIFIED

PROP

INPUT FORM

NUMBER OF COPIES RECEIVED
1 signed

DESCRIPTION

Consists of requested additional antitrust advice pursuant to Section 105 of the Atomic Energy Act, as amended.....

(2-P)

PLANT NAME: Susquehanna Units 1 & 2
RJL 8/5/77

ENCLOSURE

ACKNOWLEDGED

DO NOT REMOVE

SAFETY	FOR ACTION/INFORMATION	ENVIRONMENTAL
ASSIGNED AD:		ASSIGNED AD: V. MOORE (LTR)
BRANCH CHIEF:		BRANCH CHIEF:
PROJECT MANAGER:		PROJECT MANAGER:
LICENSING ASSISTANT:		LICENSING ASSISTANT:
		B. HARLESS

INTERNAL DISTRIBUTION			
<input checked="" type="checkbox"/> REG FILES	SYSTEMS SAFETY	PLANT SYSTEMS	SITE SAFETY &
<input checked="" type="checkbox"/> NRC PDR	HEINEMAN	TEDESCO	ENVIRON ANALYSIS
<input type="checkbox"/> T & E	SCHROEDER	BENAROYA	DENTON & MULLER
<input checked="" type="checkbox"/> OELD		LAINAS	CRUTCHFIELD
GOSSICK & STAFF	ENGINEERING	IPPOLITO	
HANAUER	KNIGHT	F. ROSA	ENVIRO TECH.
MTPC	BOSNAK		ERNST
CASE	SIHWELL	OPERATING REACTORS	BALLARD
BOYD	PAWLICKI	STELLO	YOUNGBLOOD
		EISENHUT	
PROJECT MANAGEMENT	REACTOR SAFETY	SHAO	SITE TECH.
SKOVHOLT	ROSS	BAER	
P. COLLINS	NOVAK	BUTLER	GAMMILL (2)
HOUSTON	ROSZTGCZY	GRIMES	
MELTZ	CHECK		SITE ANALYSIS
HELTEMES			VOLLMER
SK	AT&I		BUNCH
	SALTZMAN		J. COLLINS
	RUTBERG		KREGER

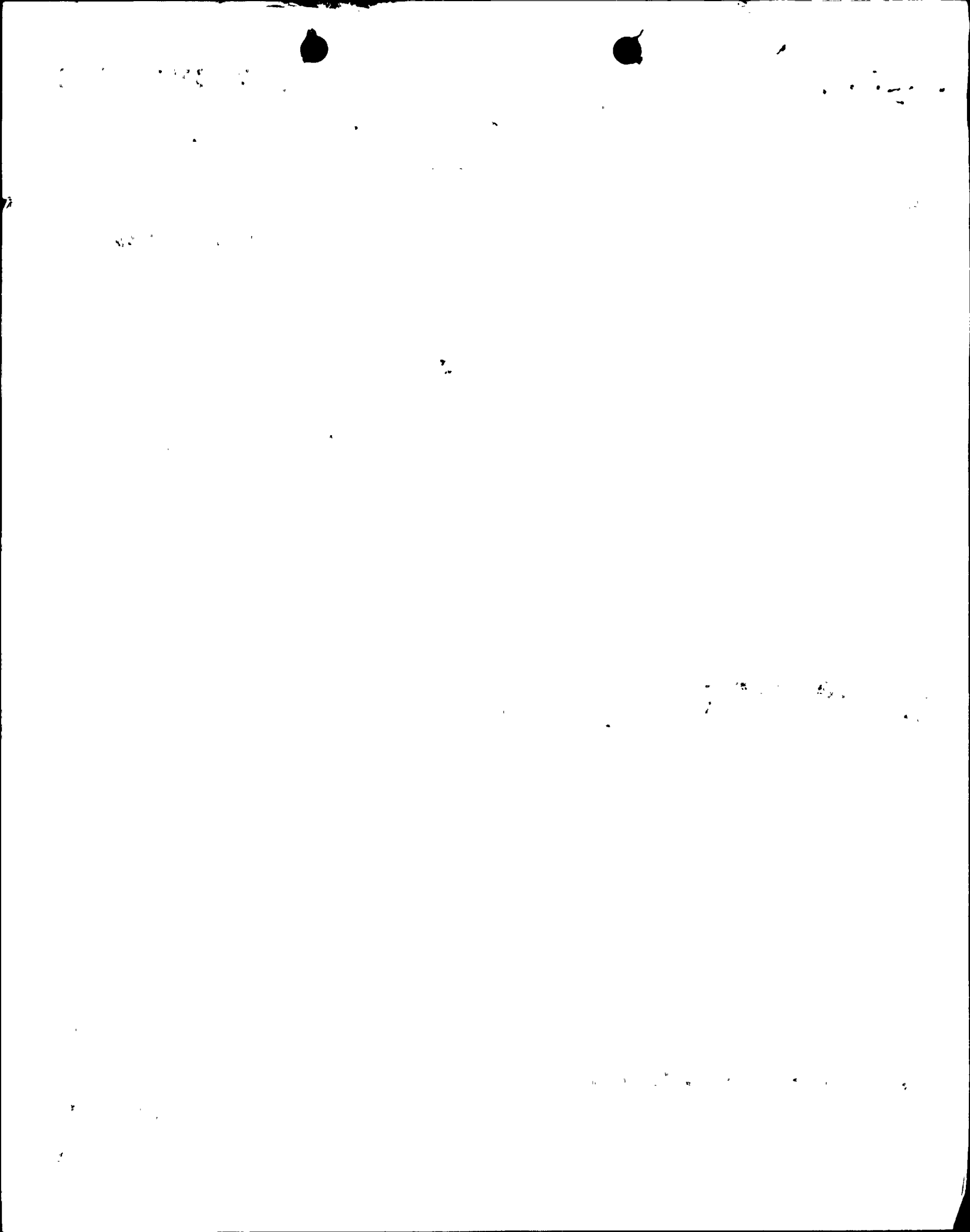
EXTERNAL DISTRIBUTION	
<input checked="" type="checkbox"/> LPDR Wilkes Barre, PA.	
TIC	NSIC
NAT LAB	
REG IV (J. HANCHETT)	
16 CYS ACRS SENT CATEGORY	

CONTROL NUMBER

Anti

772170207

GA



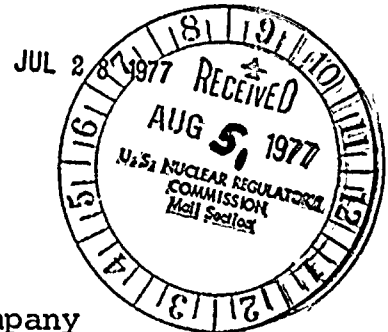
Department of Justice
Washington, D.C. 20530

DO NOT REMOVE

ACKNOWLEDGED

Regulatory

File CYA



Howard K. Shapar, Esquire
Executive Legal Director
Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Pennsylvania Power & Light Company
Susquehanna Station, Units 1 and 2
NRC Docket Nos. 50-387A and 50-388A
Department of Justice File No. 60-415-50

Dear Mr. Shapar:

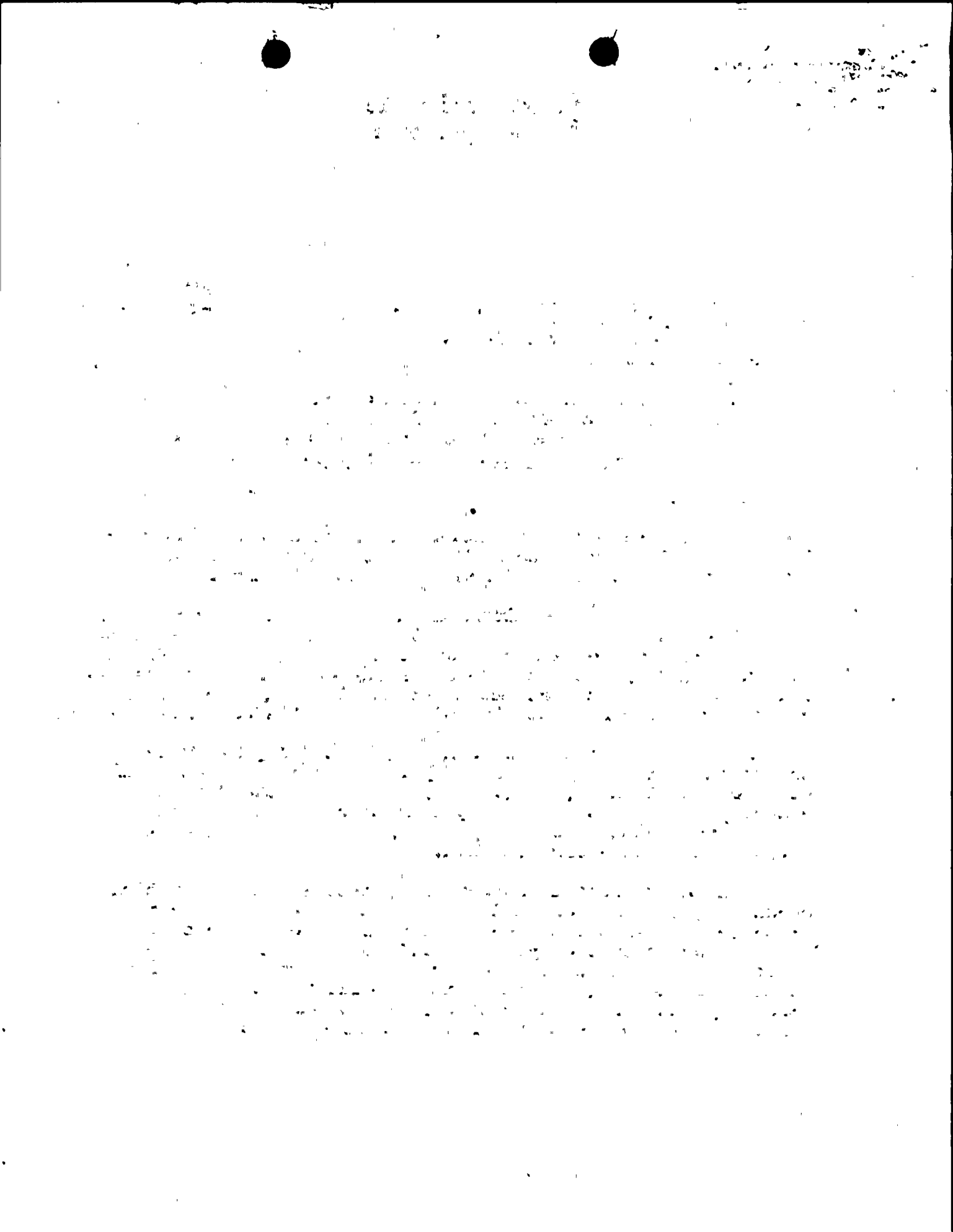
You have requested additional antitrust advice pursuant to Section 105 of the Atomic Energy Act, as amended, in regard to the above-cited nuclear generating station.

The initial application relating to Susquehanna Station, Units 1 and 2, was reviewed in 1972. The Department advised your predecessor commission that so long as Pennsylvania Power and Light (PP&L) acted to amend certain provisions in its whole-sale power contracts, an antitrust hearing would not be necessary. Those contracts have since been satisfactorily amended.

PP&L has now agreed to sell, and Allegheny Electric Cooperative, Inc. has agreed to purchase a 10 per cent undivided ownership interest (105 MW) in each of the Susquehanna Units. You have asked the Department to render antitrust advice concerning Allegheny's acquisition of an ownership interest in Susquehanna Station.

Allegheny Electric Cooperative, Inc. is an association consisting of rural electric cooperatives in Pennsylvania. Allegheny supplies the demand and energy requirements of its member cooperatives only. Its 1976 annual peak demand was 368.44 MW. Allegheny does not own any existing generation or transmission. (As part of its agreement with PP&L, Allegheny will purchase approximately 47 miles of transmission line from that company. The line will be owned and

772170207



paid for by Allegheny, but constructed and operated by PP&L.)
In 1976, its power was supplied by the following sources:

Power Authority of the State of New York	(134.45 MW)
Pennsylvania Electric Company	(163.48 MW)
Metropolitan Edison Company	(21.43 MW)
West Pennsylvania Power Company	(31.22 MW)
Jersey Central Power & Light Company	(17.86 MW)

On the basis of our review of the information submitted by Allegheny, as well as other relevant information, we conclude that no antitrust hearing will be necessary with respect to Allegheny's acquisition of an ownership interest in Susquehanna Station.

Sincerely yours,



John H. Shenefield
Acting Assistant Attorney General
Antitrust Division

RECEIVED DOCUMENT
PROCESSING UNIT

1977 AUG 4 AM 8 43