

FROM  
**H. A. Everts**  
**Florida Power Corporation**  
**St. Petersburg, Fla.**

CONTROL NUMBER  
**5095**

FILE LOCATION

DATE OF DOCUMENT  
**11/16/72**

ACTION COMPLETION DEADLINE  
~~11/16/72~~ **12/6/72**

TO  
**John F. O'Leary**

ACTION PROCESSING DATES  
Acknowledged \_\_\_\_\_  
Interim Report \_\_\_\_\_  
Final \_\_\_\_\_

PREPARE FOR SIGNATURE OF:  
\_\_\_\_\_  
Chairman  
\_\_\_\_\_  
Director of Regulation

DESCRIPTION    **Ltr**     Original     Copy     Other

REMARKS  
**re DR-5084**

Ref ltr fm George Spiegel 11/13/72 re Crystal River #3, and renews request of 9/1/72 that the Commission make a determination that the City of Gainesville's Conditional Request for Hearing and Petition to Intervene be denied

REFERRED TO	DATE	IS NOTIFICATION TO THE JCAE RECOMMENDED?
<b>Shapar</b>		_____

Cys:  
**O'Leary**  
**Braitman**  
**Docket Ette (50-302)**  
**FDR**  
**Local PDR**

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DIRECTOR OF REGULATION  
COMMUNICATIONS CONTROL

Form HQ-32 (6-70)  
USA EC

**POOR ORIGINAL**

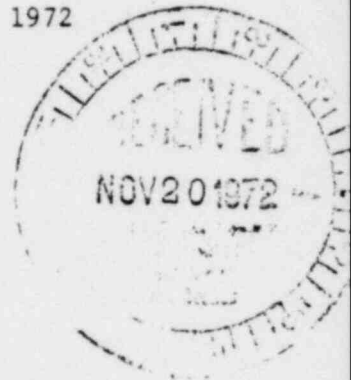
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November 16, 1972

Mr. John F. O'Leary, Director  
Directorate of Licensing  
United States Atomic Energy Commission  
Washington, D. C. 20545



Re: Crystal River No. 3 Nuclear Generating  
Unit, Docket Nos. 50-302 and 50-302A

Dear Mr. O'Leary:

Reference is made to Mr. George Spiegel's letter of November 13, 1972 addressed to you. A copy of Mr. S. A. Brandimore's response to Mr. Spiegel regarding it is enclosed.

We do not agree with any of Mr. Spiegel's assumptions or statements. Especially do we deny any attempts to change any of the basic conditions contained in our letter of December 6, 1971 to the Department of Justice. Our entire concern has been with the language of several explanatory notes clarifying two of the commitments. It is our only desire that the future application of the conditions (which we have already accepted) and their interpretation, be fair and reasonable to all persons. However, we cannot agree to any interpretation which results in preferential treatment of one group of consumers at the expense of another group and which result is not required under any fair application of the antitrust laws.

We respectfully renew our request of September 1, 1972 that the Commission administratively make a determination that the City of Gainesville's Conditional Request for Hearing and Petition to Intervene be denied.

Very truly yours,

H. A. Evertz, III  
Assistant Counsel

HAE:gc  
Encl.

cc: Messrs. George Spiegel  
Wallace E. Brand  
Bernhard G. Bechhoefer

Copy sent PDR

DR-5095