



United States Department of Justice

WASHINGTON, D.C. 20530

ASSISTANT ATTORNEY GENERAL
ANTITRUST DIVISION

May 23, 1980

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

Re: Mississippi Power & Light Company and Middle South
Energy, Inc. Grand Gulf Nuclear Station, Units
1 and 2 NRC Docket Nos. 50-416A and 50-417A

Dear Mr. Shapar:

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 South Mississippi Electric Power Association ("SMEPA") to become a co-owner of those units. SMEPA will acquire a ten percent undivided ownership interest in Grand Gulf, which will be operated by Mississippi Power & Light Company on behalf of itself, Middle South Energy, Inc. and SMEPA.

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 the Grand Gulf Nuclear Station, Units 1 and 2 by SMEPA 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,

Richard J. Favretto
Acting Assistant
Attorney General
Antitrust Division

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