

DEC 5 1972

POOR ORIGINAL

George Spiegel, Esq.
2600 Virginia Avenue, N. W.
Washington, D. C. 20037

Dear Mr. Spiegel:

Your letter dated November 13, 1972, addressed to Mr. John F. O'Leary, Director, Directorate of Licensing, has been referred to this office for reply.

The conditional request for a hearing filed by the City of Gainesville and the answers filed by the Florida Power Corporation and the AEC regulatory staff are currently pending before the Commission. Accordingly, the Commission has not taken a position with respect to the petition of the City of Gainesville.

Over the past several months discussions have taken place with respect to the development of the explanatory notes relating to the commitments made by the Florida Power Corporation in its letter dated December 6, 1971, to Mr. Joseph J. Saunders, Chief, Public Counsel and Legislative Section, United States Department of Justice. Only a few points remain to be resolved, and it is expected that resolution will occur shortly. No change has been made with respect to the explanatory notes to commitment number "3" and it remains identical to that set forth in the letter to Florida Power Corporation from Mr. Abraham Braitman dated May 18, 1972.

Accordingly, the staff does not believe that changes have occurred since our position taken on June 26, 1972, which would indicate a different position is warranted. The staff still believes that the few remaining points are close to being resolved.

Sincerely,

/s/

Joseph Rutberg
Antitrust Counsel for
AEC Regulatory Staff

bcc: JFO'Leary
ABraitman
PDR
Local PDR) 50-302
Docket Files)
#5084 (Gertter)
JRutberg (3)
OGC Formal Files (2)
OGC Files (2)

cc: Wallace E. Brand, Esq.
Stanley A. Brandimore, Esq.

Copy sent PDR

OFFICE ▶	GC	L: OAI & E				
SURNAME ▶	J Rutberg	ABraitman				
DATE ▶	12/4/72	12/1/72			8003180773	m ^p

cc: Wallace Brand, Esq.
Department of Justice
P. O. Box 7513
Washington, D. C. 20044

cc: S. A. Brandimore, Esq.
Vice President and General Counsel
Florida Power Corporation
St. Petersburg, Florida 33733