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January 19, 1971

PATENT-TRADE MARK  
& COPYRIGHT LAW  
TELEPHONE 216/861-1893

Atomic Energy Commission  
Washington, D. C.

Gentlemen:

The Cleveland Electric Illuminating Company, in collaboration with the Toledo Edison Company, are proceeding with foundations and other work in connection with the so-called Davis-Besse Nuclear Power Station near Port Clinton, Ohio.

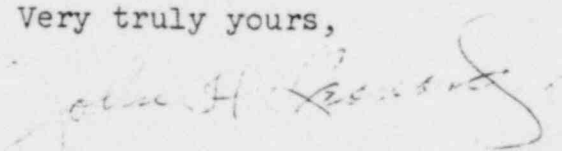
The latest statement was that they are applying another twenty-eight millions toward completion of the plant in 1974. As I understand it, they and the AEC have represented the companies understand that they are proceeding with these expenditures at their own risk, with no assurance by the government and the AEC that they can

- (a) complete the plant;
- (b) have it approved if completed; and
- (c) put it into operation when completed and approved.

The amounts of money being expended are very substantial, considering that they may not be permitted to complete the plan or operate it when completed. They seem to be racing ahead with the idea of presenting the AEC, the government, and the public with a "fait accompli".

Accordingly, I would like to be informed by you (a) whether there is any contract or understanding whatever, written or oral, express or implied, assuring the power companies, or even encouraging them to believe, that they will be permitted to complete and operate the plant, and (b) whether there is some "gentlemen's agreement", written, oral, expressed or implied, between the companies and the AEC, or the government, which justifies them in assuming that they will be permitted to follow through to the end and complete and operate the plant.

Very truly yours,



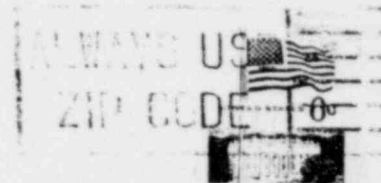
JHL/ch

Rec'd Dir. Dir. of Reg.  
Date 1/25/71  
Time 1:30

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Atomic Energy Commission  
Washington.  
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*File*

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