

January 11, 1971

Honorable John N. Mitchell  
Attorney General

Attention: Richard W. McLaren, Esq.  
Assistant Attorney General  
Antitrust Division

In the Matter of Toledo Edison Company et al.  
Davis-Besse Nuclear Power Station  
Docket No. 50-~~356~~

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Dear Mr. Mitchell:

In accordance with section 105 c.(8) of the Atomic Energy Act of 1954, as amended (the Act), we are transmitting a copy of the application pursuant to section 104 b. of the Act by Toledo Edison Company and Cleveland Electric Illuminating Company for a permit to construct a nuclear power reactor to be located on the southwestern shore of Lake Erie in Ottawa County, Ohio, approximately 21 miles east of Toledo, Ohio.

The enclosed application was on file at the time of enactment into law of P.L. 91-560, and is being transmitted to afford you an opportunity to render such advice to the Commission as you determine to be appropriate in regard to the finding to be made by the Commission pursuant to section 105 c.(5) of the Act. Upon your request, we shall furnish or cause to be furnished such information as you determine to be appropriate for this advice.

It is estimated that the construction permit for this facility will be issued approximately March 15, 1971. The permit will be conditioned, pursuant to section 105 c.(8) of the Act, to assure that any subsequent findings and orders of the Commission with respect to antitrust matters will be given full force and effect. The applicant will be entitled to commence construction immediately upon the receipt of such a permit.

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In view of the imminence of such construction, we respectfully request that you review this matter on a priority basis.

If I can be of further assistance in this matter, please do not hesitate to call upon me.

Sincerely yours,

Bertram H. Schur  
Associate General Counsel

Enclosure:  
As stated

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bcc: Gerald Charnoff, Esq.

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