

ANTI-TRUST

August 26, 1971

Honorable Richard W. McLaren  
Assistant Attorney General  
Antitrust Division  
Department of Justice  
Washington, D. C. 20024

In the Matter of Sacramento Municipal Utility District  
(Rancho Seco Nuclear Generating Station, Unit No. 1)  
Docket No. 50-312A

Dear Mr. McLaren:

Pursuant to section 105 b. of the Atomic Energy Act of 1954, as amended (the Act), I am enclosing copies of the following documents filed with the Commission in the captioned proceeding:

- (1) "Petition for Intervention", dated July 2, 1971, filed by the Northern California Power Agency;
- (2) "AEC Regulatory Staff Answer to Petition for Intervention by Northern California Power Agency", dated August 12, 1971;
- (3) "Answer to Petition for Intervention", dated August 12, 1971, filed by the applicant, Sacramento Municipal Utility District;
- △(4) "Petitioner's Reply to Sacramento's Answer to the Petition for Intervention", dated August 20, 1971; and
- (5) "Petitioner's Reply to AEC Regulatory Staff Answer to Petition for Intervention", dated August 20, 1971.

These documents relate to an application to the Atomic Energy Commission by the Sacramento Municipal Utility District for a license under section 104 b. of the Act to operate a nuclear power reactor designated as the Rancho Seco Nuclear Generating Station, Unit No. 1. A section

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104 b. construction permit for the facility was issued to Sacramento by the Commission on October 11, 1968, and the application for an operating license is not subject to the precicensing antitrust review provisions of section 105 of the Act.

The petition (item (1) above) alleges that certain contracts between the Sacramento Municipal Utility District and the Pacific Gas and Electric Company are in violation of the antitrust laws and that the contracts are part of a scheme or plan by Pacific Gas and Electric Company (of which Sacramento is aware) to monopolize the generation of electric energy in northern and central California through systematic exclusion of the petitioner and other small electric distributors from participating in or in purchasing of power from nuclear plants and all other sources of bulk power in northern and central California.

Sincerely yours,

/s/ Bertram H. Schur  
Bertram H. Schur  
Associate General Counsel

Enclosures:  
As stated above

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