

Docket No. 50-414

AUG 28 1981

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The Honorable Morris K. Udall, Chairman
Subcommittee on Energy and the Environment
Committee on Interior and Insular Affairs
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This is to inform the Subcommittee on Energy and the Environment that the Commission has received additional antitrust advice from the Attorney General in connection with Duke Power Company's construction permit application for Catawba Nuclear Station, Unit No. 2. This advice is rendered pursuant to section 105c of the Atomic Energy Act of 1954, as amended.

A copy of the Attorney General's letter dated July 31, 1981, is enclosed. In his letter he concludes:

"Review of the information submitted to the Department has not disclosed antitrust problems attending [Piedmont Municipal Power Agency] PMPA's participation in the plant. PMPA's participation, consisting of a 25% individual ownership interest in Catawba Nuclear Station, Unit 2, will not create or maintain a situation inconsistent with the antitrust laws. We do not, therefore, believe it necessary for the Commission to hold an antitrust hearing."

Sincerely,

/s/ A. L. Toalston

Argil Toalston, Acting Chief
Utility Finance Branch
Division of Engineering
Office of Nuclear Reactor
Regulation

Enclosure:
Attorney General's Letter

Identical letters sent to the attached list.

cc: Don Manuel Lujan

8109180612 810828
PDR ADOCK 05000414
PDR

	NRR:UFB	NRR:UFB	OELD	OCA		
SURNAME	WLambe	AToalston	BVogler	<i>SWK</i>		
DATE	8/10/81	8/10/81	8/13/81	8/25/81		

Identical letters sent to:

The Honorable Morris K. Udall, Chairman
Subcommittee on Energy and the Environment
Committee on Interior and Insular Affairs
United States House of Representatives
Washington, DC 20515

cc: Rep. Manuel Lujan

The Honorable Richard L. Ottinger, Chairman
Subcommittee on Energy Conservation and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

cc: Rep. Carlos Moorhead

The Honorable Alan Simpson, Chairman
Subcommittee on Nuclear Regulation
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

cc: Senator Gary Hart

The Honorable Toby Moffett, Chairman
Subcommittee on Environment, Energy and Natural Resources
Committee on Government Operations
United States House of Representatives
Washington, DC 20515

cc: Rep. Joel Deckard

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