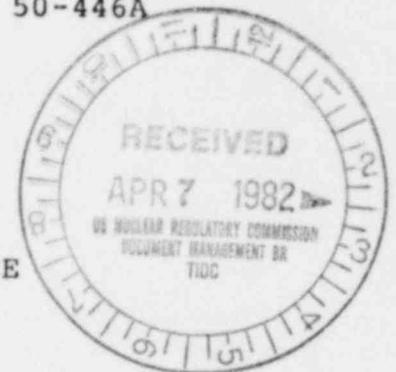


DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

100-5 P2100

In the Matter of)	
)	
HOUSTON LIGHTING & POWER)	Docket Nos. 50-498A
COMPANY, et. al.)	50-499A
(South Texas Project,)	
Units 1 and 2))	Docket Nos. 50-445A
)	50-446A
TEXAS UTILITIES GENERATING)	
COMPANY, et. al.)	
(Comanche Peak Steam Electric)	
Station, Units 1 and 2))	



STATEMENT OF THE DEPARTMENT OF JUSTICE
REGARDING ISSUES TO BE RESOLVED

Pursuant to the order of the Administrative Law Judge dated March 22, 1982, the Department of Justice ("Department") submits its statement of the history of these proceedings, the issues remaining for resolution, and its recommendations for resolving those issues.

I. Procedural History of the Proceedings

In 1973, subsidiaries of Texas Utilities Company ("TU"), 1/ filed for the issuance of a construction permit for the

1/ TU's operating subsidiaries are Texas Power & Light Company ("TP&L"), Texas Electric Service Company ("TESCO") and Dallas Power & Light Company ("DP&L"). Texas Utilities Generating Company ("TUGCO") is another subsidiary of TU which acts as an agent for TU's three operating subsidiaries in the operation of their jointly-owned generating stations and furnishes related services to the TU subsidiaries.

DS08
50/1

Comanche Peak nuclear generating units. 2/ The Department conducted an antitrust review with respect to the application and, on January 17, 1974, advised the Nuclear Regulatory Commission ("NRC") that an antitrust hearing would not be necessary based on TUGCO's agreement to a set of negotiated license conditions. The NRC thereafter issued a construction permit for Comanche Peak. 3/

Houston Lighting & Power Company ("HL&P"), Central Power & Light Company ("CP&L"), the City of Austin ("COA") and the City Public Service Board of San Antonio ("CPSB") filed for a construction permit to build the South Texas Project nuclear generating units in July of 1974. 4/ On October 22, 1974, the Department advised the NRC that an antitrust hearing would not be necessary with respect to the South Texas Project and, in January 1976, a construction permit was issued. 5/

2/ Application of Texas Utilities Generating Company, et al. for Construction Permits and Operating License (Class 103) for the Comanche Peak Steam Electric Station, Units 1 and 2 (June 4, 1973).

3/ Texas Utilities Generating Co., (Comanche Peak Steam Electric Station, Units 1 and 2), LBP-74-88, 8 A.E.C. 1047 (Dec. 12, 1974).

4/ Houston Lighting & Power Co., Application for Construction Permits and Operating Licenses, Class 103 for the South Texas Project, Units 1 and 2 (July 2, 1974).

5/ Houston Lighting and Power Co., (South Texas Project, Unit 1 and 2), ALAB-306, 3 N.R.C. 14 (Jan. 14, 1976).

A. The South Texas Project: Changed Circumstances

On May 4, 1976, the southern intrastate portion of the West Texas Utilities ("WTU") system began operating in interstate commerce. HL&P and TU immediately opened their interconnections with the other members of the Texas Interconnected System ("TIS"), and with each other. Although TU and HL&P reestablished connections with each other within days, they remained isolated from the other TIS members. As a result of these disconnections, the other three applicants for the South Texas Project (CP&L, COA and CPSB) were electrically isolated from HL&P, thus impairing their systems' reliability and potentially their ability to participate in that project. On May 2, 1977, the Texas Public Utility Commission ("TPUC") issued an order requiring all affected utilities to reconnect and prohibiting any utility from operating in interstate commerce. 6/

In June 1976, CP&L filed a petition with the NRC requesting an antitrust hearing regarding the South Texas Project. The designated Licensing Board granted CP&L's petition and ordered an antitrust hearing. 7/

6/ Application of Houston Lighting and Power Co., et al., for Recommendation of the Texas Interconnect[ed] System, Docket No. 14 (TPUC May 2, 1977) (Interim Order).

7/ Order Granting Petition of Central Power and Light Co. for Leave to Intervene and for an Antitrust Hearing, Houston Lighting & Power Co., (South Texas Project, Units 1 and 2), Docket Nos. 50-498A, 50-499A (Sept. 9, 1976), reversed, Houston Lighting & Power Company, (South Texas Project, Unit Nos. 1 and 2), CLI-77-13, 5 N.R.C. 1303 (1977) (on the ground of lack of jurisdiction to reopen the construction permit proceeding).

On June 15, 1977, the Commission determined that there had been "changed circumstances" 8/ and requested the advice of the Department pursuant to Section 105c(i) of the Atomic Energy Act. The Commission also allowed HL&P to file for an early operating license so that, if necessary, an antitrust hearing could be conducted as soon as possible. On February 21, 1978, the Department advised the NRC that an antitrust hearing was warranted.

B. Comanche Peak Steam Electric Station: Changed Circumstances

In early 1978, TUGCO, TESCO, and TP&L filed for a license from the NRC to operate the Comanche Peak units. 9/ The Commission again ruled that there had been "changed circumstances" and sought the advice of the Department. 10/ On August 1, 1978, the Department advised the NRC that an antitrust hearing was warranted.

C. Notice of Hearing and Consolidation, Discovery and Intervention by Other Parties

Subsequent to the Attorney General's recommendations, hearings were scheduled for both Comanche Peak and the South

8/ Id. at 1319.

9/ Application of Texas Utilities Generating Co., et al. for Operating Licenses (Class 103) for the Comanche Peak Steam Electric Station, Units 1 and 2 (April 21, 1978).

10/ Letter from Howard K. Shapar, Executive Legal Director, Nuclear Regulatory Commission to John H. Shenefield, Assistant Attorney General, Antitrust Division, Department of Justice (June 26, 1978).

Texas Project. In May 1978, the Public Utilities Board of the City Brownsville, Texas ("PUB") intervened in the South Texas Project proceeding and in September 1978, 17 members of the Tex-La Cooperative intervened in the Comanche Peak proceedings. In December 1978, the Licensing Board consolidated the South Texas Project and Comanche Peak proceedings for the purpose of discovery, 11/ and on April 10, 1980 consolidated both proceedings for the purpose of hearing. 12/ Between July 1979 and February 1980, the Department and other parties engaged in extensive discovery.

D. Settlement

During the spring and summer of 1980, the parties engaged in intensive settlement discussions. On September 15, 1980, TU, HL&P, CSW, the staff of the NRC and the Department submitted to the Licensing Board two proposed sets of license conditions ("settlement license conditions"), one relating to the Comanche Peak Steam Electric Station, and the other relating to the South Texas Project. On September 25, 1980,

11/ Preliminary Conference Order Regarding Issues, Discovery and Consolidation. Texas Utilities Generating Company (Comanche Peak Steam Electric station, Units 1 and 2), Docket Nos. 50-445A and 50-446A (December 5, 1978).

12/ Order Extending Procedural Dates, and Directing Consolidation (April 10, 1980).

the PUB filed a motion for disapproval of the settlement license conditions. 13/

At the October 24, 1980 Prehearing Conference, the Board ordered the PUB to file its objections to the settlement license conditions and to include in that pleading all of its arguments in opposition to the proposed license conditions. See October 24, 1980 Tr. at 1240. On November 12, 1980, the PUB filed its comments opposing the settlement license conditions. The Department filed a Reply to the PUB comments on December 3, 1980.

In March 1981, the PUB filed a pleading indicating that it had reached a settlement with Central and Southwest Company and its subsidiaries, CP&L and WTU, resolving their differences in this proceeding. 14/ The settlement agreement itself, however, was never filed.

E. The Proceeding at the Federal Energy Regulatory Commission

As these events occurred, related issues were being addressed in a proceeding at the Federal Energy Regulatory Commission ("FERC"). On February 9, 1979, CSW filed an

13/ Motion by the Public Utilities Board of the City of Brownsville, Texas for Disapproval of Proposed License Conditions; Comments Opposing Proposed License Conditions; and Request for Further Proceedings. The Licensing Board did not require the other parties to respond to this pleading, nor to the PUB's Initial Trial Brief, filed October 3, 1980.

14/ Supplemental Brownsville Status Report of March 1981 ("PUB Supplemental Status Report").

application at FERC seeking an order under the Public Regulatory Policies Act ("PURPA") approving the construction of four alternating current synchronous interconnections ("AC Interconnections") between the Electric Reliability Council of Texas ("ERCOT") and the Southwest Power Pool ("SWPP"), as well as related transmission services and other relief. 15/ On June 27, 1980, in an attempt to settle, inter alia, the FERC proceeding and the proceedings before the NRC, CP&L filed an amended application 16/ seeking approval under PURPA of two direct current asynchronous interconnections ("DC Interconnections") between ERCOT and SWPP. On July 28, 1980, CSW, TU, and HLP filed a settlement agreement accompanied by supporting documentation and testimony. The offer of settlement sought to implement the DC Interconnections proposed in the amended application. On September 11, 1980, CSW, TU and HLP executed a letter agreement with the FERC staff

15/ Application of Central Power and Light Company and others for exemption from State Commission orders preventing voluntary coordination pursuant to Section 205 of the Public Utility Regulatory Policies Act of 1978, and interconnection of facilities, provision of transmission services and related relief pursuant to Sections 202, 210, 211 and 212 of the Federal Power Act.

16/ Amendment to Application of Central Power and Light Company and others for interconnection of facilities, provision of transmission and related relief pursuant to Sections 210, 211 and 212 of the Federal Power Act.

which was embodied in a supplemental offer of settlement filed on October 8, 1980. 17/

On September 17, 1980, the Department petitioned for leave to intervene in the FERC proceedings and, on September 29, 1980, filed comments contesting the supplemental offer of settlement on the grounds that the proposed DC Interconnections did not possess the procompetitive features of the initially proposed AC Interconnections and that the DC Interconnections exhibited certain anticompetitive characteristics when compared with AC Interconnections. The Department's petition to intervene was granted on December 17, 1980.

In the spring of 1981, the Department and CSW engaged in extensive negotiations that resulted in a settlement between CSW and the Department satisfying the concerns raised by the Department in its comments to the FERC. This agreement was incorporated into the proposed settlement agreement filed with FERC on June 22, 1981. The FERC approved this settlement agreement on October 28, 1981, finding, inter alia, that the settlement was fair, reasonable and in the public interest. 18/

17/ The NRC staff was also a signatory of this letter agreement. The letter agreement embodied conditions to be attached to the proposal contained in the original offer of settlement. The conditions include rate methodologies for wheeling to, from and over the DC interconnections, reservation of capacity for firm power wheeling, and the opportunity for participation by other utilities in the ownership of incremental capacity increases in the DC interconnections.

18/ Central Power and Light Company, et al., Docket Nos. EL79-8 and E-9558, Order Requiring Interconnection and Wheeling, and Approving Settlement, (Issued October 28, 1981) and Errata Notice (November 5, 1981).

II. Resolution of Remaining Issues

In the opinion of the Department, the PUB has raised no issues in its Comments Opposing Proposed Settlement License Conditions ("Comments") sufficient to prevent the immediate approval of the settlement license conditions by the Administrative Law Judge. The Department has set forth its reasoning in detail in its reply to the Comments of the PUB filed on December 3, 1980, which the Department herein incorporates by reference. 19/ For the sake of convenience, the Department will summarize here the points made in that pleading.

The legal standard governing immediate effectiveness of license conditions proposed as a settlement is set forth in Duke Power Company (Catawba Nuclear Station, Units 1 and 2), LBP-74-47, 7 A.E.C. 1158, 1159 (1974). Under Catawba the conditions must be "a reasonable settlement of differences [among the settling parties] within the public interest" 20/ with a focus on whether non-settling intervenors would be "improperly prejudiced or disadvantaged" 21/ by immediate effectiveness of the license conditions. In the view

19/ Reply to the Comments of the Public Utilities Board of the City of Brownsville Opposing Proposed Settlement License Conditions (December 3, 1980).

20/ 7 A.E.C. at 1159.

21/ Id.

of the Department, the settlement license conditions are in the public interest and the PUB has not shown that it will be "improperly prejudiced or disadvantaged" by their immediate effectiveness. Indeed, immediate effectiveness of the conditions could not prejudice the PUB since their effectiveness will not impair PUB's right to seek additional relief after their attachment by the presentation of evidence at a plenary hearing. Furthermore, since the Applicants have agreed to the imposition of the settlement license conditions irrespective of the outcome of further hearings, the PUB will benefit by the fact that the conditions furnish relief which the PUB might not be able to obtain even after an evidentiary hearing.

The Attorney General's advice to the NRC that an antitrust hearing was warranted in this proceeding concluded that TU and HLP had engaged in a concerted refusal to deal with interstate electric utilities for the apparent purpose of avoiding federal regulation. The settlement license conditions expressly prohibit TU and HLP from engaging in or maintaining any "agreement or understanding" with each other or with any other entity "to refuse to deal with another entity(ies) with the purpose of maintaining an exemption from jurisdiction under the Federal Power Act." 22/ Accordingly, the settlement license conditions are adequate to cure that perceived

22/ South Texas Settlement License Condition I.B.(6)(b); Comanche Peak Settlement License Condition D.(2)(1)(b).

situation inconsistent with the antitrust laws which prompted the Department's advice that a hearing be conducted.

In its Comments, the PUB argues that the settlement license conditions fail to cure three major aspects of the situation inconsistent with the antitrust laws. The first two of those aspects 23/ clearly deal with joint action among utilities in Texas to preclude interstate electricity and to avoid federal regulation, the situation expressly cured by the settlement license conditions. Although the PUB speaks in terms of "unilateral" disconnections, its overriding concern is with joint action, since the PUB admits that "no one utility could have succeeded in excluding interstate commerce without the agreement and cooperation of others." 24/

To the extent that the PUB is concerned with a truly unilateral refusal to deal by one of the Applicants, a situation not alleged by the Attorney General in his advice letters, the proposed settlement license conditions neither authorize nor approve of such action. Truly unilateral

23/ (i) the agreements, combinations and monopolizations creating barriers to interstate power transactions; [and] (ii) the divisions of the bulk power market within ERCOT resulting from the threat of unilateral disconnection by the major applicants as a means of enforcing this restriction on interstate power transactions. (Comments at 7-8).

24/ Comments at 73.

refusals to deal by TU or HL&P would not necessarily be inconsistent with the antitrust laws. Under the Sherman Act, a unilateral refusal to deal would be assessed in light of a variety of factors, including whether monopoly power existed and whether the refusal was based upon an intent to monopolize or had an anticompetitive effect. It is not necessary for the Commission to impose a license condition absolutely prohibiting every unilateral disconnection or refusal to connect by TU or HL&P. It is sufficient to provide, as do the settlement license conditions, that a unilateral refusal to deal by TU or HL&P will be subject to an enforcement proceeding and to potential Sherman Act liability.

The third "major objection" of the PUB to the settlement license conditions relates to "the historic and still unresolved refusal of [CP&L] to wheel firm power for Brownsville on a fair and practical basis and [CP&L] related anticompetitive activities as alleged by Brownsville." 25/ In March 1981, the PUB withdrew its opposition on these grounds to the settlement license conditions. 26/

In its Comments the PUB also argued that the DC interconnections would create or maintain a situation inconsistent with the antitrust laws. This argument, too, is moot. FERC has found that the construction of the DC

25/ Comments at 8.

26/ PUB Supplemental Status Report at Appendix A.

Interconnections is in the public interest and the PUB has withdrawn its opposition on this ground to the settlement license conditions. 27/

Other than the proposed settlement license conditions addressing the ability of any Applicant to disconnect from another entity discussed above, the PUB has only one concern:

To the extent that Brownsville requires, in order to make participation viable, the other applicant's adequate assurances that they will not seek unreasonable rates, terms and conditions, including those related to transmission and back-up service, the license should be withheld until such assurances are forthcoming. (PUB Supplemental Status Report, Exhibit A at 1).

In the view of the Department, it should not be the function of this Commission to immerse itself in rate-making problems and methodology. The bodies which have the requisite expertise in these matters, the FERC or the TPUC, will where appropriate, 28/ decide such issues in future proceedings in which the PUB will be free to intervene. License conditions, like consent decrees, are broad charters governing the future conduct of the licensees subject to its terms. They are not intended to, nor realistically could they, cover the

27/ PUB Supplemental Status Report at 2; Exhibit A at 2.

28/ This Commission should reject any contention that it should involve itself in any jurisdictional line drawing between FERC and the TPUC. See Comments at p. 23-24, ¶12. The FERC is the body in the first instance, not the NRC, which will, determine where its jurisdiction begins and ends.

multitude of dealings of the utilities that are obligated by and benefit from the terms of the conditions, nor can they be drafted to solve all conceivable competitive problems of every affected or potentially affected electric system.

To the extent the PUB complains of ambiguity or omissions in the proposed license conditions, it is requesting that the ALJ draft specific terms and condition or perform functions such as ratemaking entrusted to other agencies. What the PUB in effect seeks is an enforcement action in which the Commission would enforce the proposed license conditions before they are imposed. This is an improper basis for concluding that the settlement license conditions should not now be approved.

The PUB has not demonstrated that immediate approval of the license conditions will prejudice or disadvantage it. Moreover, it seeks the imposition of terms which it could otherwise obtain only by proof that a situation inconsistent with the antitrust laws exists and that such terms are necessarily to remedy it. Yet the PUB has not shown by evidence that such is the case. It is still free to do so. Since the Applicants have agreed to the imposition of the proposed license conditions irrespective of further hearings, and since the PUB has failed to demonstrate that it would be improperly prejudiced and disadvantaged by the settlement license conditions, the Department submits that the PUB's

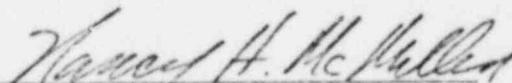
suggested approach of a deferred ruling on the proposed license conditions will not advance the overall public interest but only the PUB's private interests.

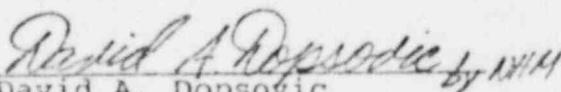
III. Conclusion and Recommendation

The settlement license conditions are in the public interest and do not prejudice the PUB. Accordingly, the Department requests that the Administrative Law Judge approve and make immediately effective the settlement license conditions in their entirety for both the Comanche Peak units and the South Texas Project.

Dated: April 5, 1982
Washington, D.C.

Respectfully submitted,


Nancy H. McMillen


David A. Dopsovic

Attorneys
Energy Section
Antitrust Division
U.S. Department of Justice
(Telephone No.: (202) 724-6616)

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
HOUSTON LIGHTING & POWER)	
COMPANY, et al. (South)	Docket Nos. 50-499A
Texas Project, Units 1 and)	50-499A
2))	
)	
TEXAS UTILITIES GENERATING)	
COMPANY, et al. (Comanche)	Docket Nos. 50-445A
Peak Steam Electric)	50-446A
Station, Units 1 and 2))	

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing Status Report of the Department of Justice has been made on the following parties listed hereto this 5th day of April 1982, by depositing copies thereof in the United States mail, first class, postage prepaid.

James A. Laurenson, Esquire
Administrative Law Judge
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Samuel J. Chilk, Secretary
Office of the Secretary of
the Nuclear Regulatory
Commission
Washington, D.C. 20555

Jerome E. Sharfman, Esquire
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Stephen H. Lewis, Esquire
Ann P. Hodgdon
U.S. Nuclear Regulatory
Commission
Office of the Executive Legal
Director
Washington, D.C. 20555

Alan S. Rosenthal, Esquire
Chairman
Michael C. Farrar, Esquire
Thomas S. Moore, Esquire
Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Chase R. Stephens, Secretary
Docketing and Service Branch
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Jerome Saltzman
Chief, Antitrust and
Indemnity Group
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Mr. William C. Price
Central Power & Light Co.
P. O. box 2121
Corpus Christi, Texas 78403

J. K. Spruce, General Manager
City Public Service Board
P. O. Box 1771
San Antonio, Texas 78203

Perry G. Brittain
President
Texas Utilities Generating
Company
2001 Bryan Tower
Dallas, Texas 75201

R. L. Hancock, Director
City of Austin Electric
Utility Department
P. O. Box 1088
Austin, Texas 78767

G. W. Oprea, Jr.
Executive Vice President
Houston Lighting & Power
Company
P. O. Box 1700
Houston, Texas 77001

Jon C. Wood, Esquire
W. Roger Wilson, Esquire
Matthews, Nowlin, Macfarlane
& Barrett
1500 Alamo National Building
San Antonio, Texas 78205

David M. Stahl, Esquire
Isham, Lincoln & Beale
Suite 325
1120 Connecticut Avenue, N.W.
Washington, D. C. 20036

Michael I. Miller, Esquire
James A. Carney, Esquire
Sarah N. Welling, Esquire
Isham, Lincoln & Beale
4200 One First National Plaza
Chicago, Illinois 60603

Michael Blume, Esquire
Frederic D. Chanania, Esq.
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Jerry L. Harris, Esquire
City Attorney,
Richard C. Balough, Esquire
Assistant City Attorney
City of Austin
P. O. Box 1088
Austin, Texas 78767

Robert C. McDiarmid, Esquire
Robert A. Jablon, Esquire
Spiegel and McDiarmid
2600 Virginia Avenue, N.W.
Washington, D. C. 20037

Dan H. Davidson
City Manager
City of Austin
P. O. Box 1088
Austin, Texas 78767

Don R. Butler, Esquire
1225 Southwest Tower
Austin, Texas 78701

Joseph Irion Worsham, Esq.
Merlyn D. Sampels, Esq.
Spencer C. Relyea, Esq.
Robert A. Wooldridge
Worsham, Forsythe & Sampels
2001 Bryan Tower, Suite 2500
Dallas, Texas 75201

Joseph Knotts, Esquire
Nicholas S. Reynolds, Esq.
Leonard W. Belter, Esq.
Debevoise & Liberman
1200 17th Street, N.W.
Washington, D. C. 20036

Douglas F. John, Esquire
McDermott, Will and Emery
1101 Connecticut Ave., N.W.
Suite 1201
Washington, D. C. 20036

Morgan Hunter, Esquire
McGinnis, Lochridge & Kilgore
5th Floor, Texas State Bank
building
900 Congress Avenue
Austin, Texas 78701

Jay M. Galt, Esquire
Looney, Nichols, Johnson
& Hayes
219 Couch Drive
Oklahoma City, Oklahoma 73101

Knoland J. Plucknett
Executive Director
Committee on Power for the
Southwest, Inc.
5541 East Skelly Drive
Tulsa, Oklahoma 74135

John W. Davidson, Esquire
Sawtelle, Goode, Davidson
& Tioilo
1100 San Antonio Savings
Building
San Antonio, Texas 78205

W. S. Robson
General Manager
South Texas Electric
Cooperative, Inc.
Route 6, building 102
Victoria Regional Airport
Victoria, Texas 77901

Robert M. Rader, Esquire
Conner, Moore & Corber
1747 Pennsylvania Ave., N.W.
Washington, D. C. 20006

R. Gordon Gooch, Esquire
John P. Mathis, Esquire
Steven R. Hunsicker
baker & botts
1701 Pennsylvania Avenue, N.W.

Robert Lowenstein, Esquire
J. A. Bouknight, Esquire
William J. Franklin, Esquire
Lowenstein, Newman, Reis,
Axelrad & Toll
1025 Connecticut Avenue, N.W.
Washington, D. C. 20036

E. W. Barnett, Esquire
Charles G. Thrash, Jr., Esq.
J. Gregory Copeland, Esq.
Theodore F. Weiss, Jr., Esq.
Baker & botts
3000 One Shell Plaza
Houston, Texas 77002

Kevin B. Pratt, Esquire
Assistant Attorney General
P. O. Box 12548
Capital Station
Austin, Texas 78711

Frederick H. Ritts, Esquire
Law Offices of Northcutt Ely
Watergate 600 Building
Washington, D. C. 20037

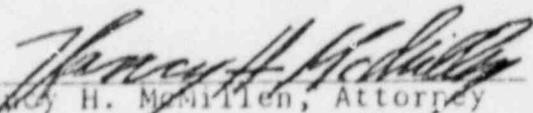
Donald M. Clements, Esq.
Gulf States Utilities Company
P. O. Box 2951
Beaumont, Texas 77704

Mr. G. Holman King
West Texas Utilities Co.
P. O. Box 841
Abilene, Texas 79604

W. N. Woolsey, Esquire
Kleberg, Dyer, Redford & Weil
1030 Petroleum Tower
Corpus Christi, Texas 78474

Robert A. O'Neil
Miller, Balis & O'Neil, P.C.
776 Executive Building
1030 Fifteenth Street, N.W.
Washington, D. C. 20005

Leon J. Barish
Assistant Attorney General
(for Public Utility Commission
of Texas)
P.O. Box 12548
Capital Station
Austin, Texas 78711


Nancy H. McMillen, Attorney
Washington, D. C. 20006
Energy Section, Antitrust
Division, Department of
Justice