

AUG 6 1982

50-454

Mr. William F. Naughton
Nuclear Licensing Administration
Commonwealth Edison Company
P. O. Box 767
Chicago, Illinois 60690

Dear Mr. Naughton:

The NRC staff is conducting an antitrust analysis of the Byron 1 operating license application. Commonwealth Edison Company (Commonwealth) submitted antitrust information in response to Regulatory Guide 9.3 on March 22, 1979. Please update that submittal and provide supplemental information as follows:

1. In response to items 1.a. and 1.h., Commonwealth referred to (1) letters of January 4, 1979, that were sent to all companies directly connected to Commonwealth soliciting participation in units under construction, (2) a meeting held with Illinois Municipal Utilities Association (IMUA) representatives on March 15, 1979, and (3) a meeting held with Illinois electric cooperatives in February, 1974, to discuss participation in a nuclear unit.

(a) Please identify each utility to which the January 4, 1979, letter was sent and provide a copy of one of the letters;

(b) Why were the January 4, 1979 letters sent only to utilities directly connected to Commonwealth?;

(c) Please identify, and furnish correspondence and other documents relating to, expressions of interest from smaller electric utilities since April, 1974, in participation in Byron/Braidwood or Carroll County nuclear units, Commonwealth's response, and the present status of each.

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(d) Please summarize and furnish documents and correspondence relating to, discussions held with Illinois cooperatives in February, 1974, on nuclear unit participation, including the specific nuclear unit(s) involved, the identity of the cooperatives, and the reason an agreement was not reached.

(e) Please summarize, and furnish correspondence and documents relating to, discussions held with IMUA since March, 1979, concerning the purchase of excess capacity.

(f) Other than (e), please identify, and furnish correspondence and documents relating to, expressions of interest from smaller electric utilities since March, 1979 in obtaining any type of bulk power service, including coordination service and transmission service, from Commonwealth, Commonwealth's response, and the present status of each.

2. Please summarize the outcome or the present status of the FERC proceeding referred to in item 1.e. of the Regulatory Guide 9.3 information and of any subsequent FERC proceedings conducted. If decisions or orders have been issued, please provide copies.
3. Please summarize the outcome or present status of the judicial proceeding relating to the "River Cities" complaint filed in U.S. District Court for Northern Illinois. Please provide, to the extent available, a copy of the pre-trial brief, testimony relating to competition, the post-trial brief and the court decision.

Your cooperation in supplying us this information will be greatly appreciated.

Sincerely,

Argil A. Toalston

Argil Toalston, Chief
Antitrust and Economic
Analysis Branch
Division of Engineering
Office of Nuclear Reactor
Regulation

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