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Docket No. 50-389A

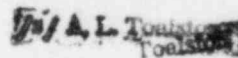
Florida Power and Light Company
ATTN: Mr. Robert E. Uhrig
Vice President, Advanced Systems
and Technology
P.O. Box 529100
Miami, FL 33152

Gentlemen:

With reference to the construction permit application for the St. Lucie Nuclear Generating Station, Unit 2, the Attorney General has furnished the Commission additional antitrust advice for the Florida Municipal Power Agency pursuant to Section 105c of the Atomic Energy Act of 1954, as amended. A copy of the Attorney General's letter dated October 25, 1982, is enclosed for your information.

We are also transmitting to the Office of the Federal Register a copy of the Attorney General's advice for publication. It should be noted that pursuant to Section 2.714 of the Commission's Rules of Practice, 10 CFR Part 2, a petition for leave to intervene and request for hearing on the antitrust aspects of the application may be filed by any person whose interest may be affected within thirty (30) days after publication of the notice in the Federal Register.

Sincerely,



Argil L. Toalston, Chief
Antitrust & Economic Analysis Branch
Division of Engineering
Office of Nuclear Reactor Regulation

Enclosure:
Attorney General's letter

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OFFICE	AEAB	AEAB	AEAB				
SURNAME	PNicholson	AToalston	DMuller				
DATE	11/10/82	11/10/82	11/10/82				

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Office of the Assistant Attorney General

Washington, D.C. 20530

October 25, 1982

Mr. Guy H. Cunningham, III
Executive Legal Director
United States Nuclear
Regulatory Commission
Washington, D.C. 20555

Re: In the Matter of Florida Power
& Light Company (St. Lucie Nuclear
Generating Station, Unit 2) NRC
Docket No. 50-389

Dear Mr. Cunningham:

You have requested our advice pursuant to Section 105(c) of the Atomic Energy Act, as amended, regarding a proposed amendment to the construction permit of the above referenced nuclear units to allow the Florida Municipal Power Agency ("FMPA") to become a co-owner of these units. FMPA will acquire an 8.806 percent ownership interest in St. Lucie, Unit 2, which will be operated by Florida Power & Light Company.

Our review of the information submitted for antitrust review purposes, as well as other information available to the Department, provides no basis at this time to conclude that the participation in St. Lucie, Unit 2 by FMPA would create or maintain a situation inconsistent with the antitrust laws. Accordingly, it is the Department's view that no antitrust hearing is necessary with respect to the proposed amendment to the construction permit.

Sincerely yours,

William F. Baxter
Assistant Attorney General
Antitrust Division

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