



U.S. Department of Justice

Antitrust Division

Judiciary Center Building

555 Fourth Street, N.W.

Washington, DC 20001

JAN 27 1992

Joseph Rutberg, Esq.
Deputy Assistant General Counsel
Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Northeast Nuclear Energy Company, et al. (Millstone
Nuclear Power Station, Unit 3) NRC No. 50-423A

Dear Mr. Rutberg:

You have requested that the Department of Justice ("Department") review and comment on a draft finding of "No Post Operating License Significant Antitrust Changes" concerning the change in ownership of the Millstone Nuclear Power Station, Unit 3 ("Millstone"). The Draft Finding concludes that an antitrust review pursuant to Section 105(c)(2) of the Atomic Energy Act of 1954 (as amended), prior to the proposed change in ownership of Millstone is not warranted.

The Department of Justice has reviewed the Draft Finding. Based on the information contained in the Draft Finding, as well as other information available to the Department, the Department concurs in the conclusion that an antitrust review prior to the proposed change in ownership of Millstone is not required.

Sincerely yours,

Mark C. Schechter
Chief

Transportation, Energy &
Agriculture Section