PIRGIM 590 HOLLISTER BUILDING LANSING, MICHIGAN 48933

mailed -7/12/75

July 15, 1978

Freedom of Information Officer U.S. Nuclear Regulatory Commission Washington, DC 20555

In re: Docket Nos. 50-329 50-330 FREEDOM OF INFORMATION REQUEST

To the Officer:

Fursuant to the Fracdom of Information Act, 5 U.S.C. 552, as amended, the Public Interest Research Group in Michigan (PIRGIN) requests information as described below.

By letter dated June 26, 1978, Consumers Fower Co. filed in the above captioned docket a copy of its rendectiated agreements with Dew Chemical Company for sale of steam and electricity to Dow from Consumers' fildland nuclear power plant.

The copies enclosed with the letter did not include Section 4.C, which specifies the rates and charges for process steam to be supplied to Dow. We hereby request a copy of Section 4.C, because the furnishing of the information will primarily benefit the general public, as indicated below.

PIRGIN has recently appeared before the Lansing Board of Water and Linht, a local municipally-owned utility company, to address the issue of that company's nessible purchase of a share of the Midland nuclear plant. The Board has been negotiating with Consumers Power for more than two years, and has drawn up a draft contractual arrangement specifying that the Board would purchase approximately 7% ownership in the facility.

However, the recent renegotiation with Dow has changed the situation such that the Lansing Board of Water and Light will be required to reconsider its draft contract to account for the new agreement between Consumers and Dow.

Che of the primary decisions facing the Board of Water and Light is whether the purchase of a 7% share of the plant is the most economical measure by which the Board may meet the future demand in its service area. In evaluating this question, the Board, and other interested parties (such as PIRCIM), would benefit from complete knowledge of information related to costs, revenues and charges involved in the Midland nuclear project. Because the problems which forced Dow and Consumers to renegotiate their agreement are also certain to affect the electrical protion of the plant, including the poblible 7% purchase by the Board, we believe release of the information will better enable the Board, and other interested parties (such as PIRGIN), to evaluate the

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Prosumably, the steam produced in the steam portion of the Midland plant will be available to no customer other than Dow. Also, presumably the Midland plant will be the only external source of such steam to become evailable to Dow at its facility near the Midland plant construction site. Because neither party is on the commercial market for steam supply or demand, we do not believe the information can qualify as confidential commercial information under the Freedom of Information Act.

Recause the furnishing of the information would primarily benefit the general public (by analying the Board and other interest parties, such as PIRGIM, to better evaluate the possible purchase, and by avoiding rossible unnecessary NRC licensing proceedings if the board should decide against involvement in the project), we urge its release. We also request that the material be made available to us without cost. If any channel is to be involved, please notify us for our approval.

Ve appreciate your attention to this matter and look forward to your response within the time requirements set forth in 5 U.S.C. 552 as amended.

Sincorely.

Stove Freedkin Acting Executive Director

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