

CLEVELAND ELECTRIC ILLUMINATING CO. ET AL;
REQUEST TO SUSPEND THE PERRY NUCLEAR POWER
PLANT ANTITRUST LICENSE CONDITIONS - TIME
FOR FILING COMMENTS EXTENDED

On September 18, 1987, the Ohio Edison Company (Ohio Edison) requested the Director of the Office of Nuclear Reactor Regulation to amend the antitrust license conditions that are attached to the Perry Nuclear Power Plant (Perry) operating license, No. NPF-58. Although the Perry operating license was issued to Cleveland Electric Illuminating Co., Toledo Edison Co., Duquesne Light Co. and Ohio Edison, Ohio Edison's amendment requested suspension of the antitrust license conditions only as they apply to Ohio Edison.

Notification of receipt of this amendment request was published in the Federal Register (Vol. 52 p. 48473) on December 22, 1987 and comments were sought from the public within 45 days. By motion dated January 29, 1988, American Municipal Power-Ohio, Inc. (AMP-Ohio) requested an extension of time until March 7, 1988 in which to file its comments on Ohio Edison's amendment request. Staff granted AMP-Ohio's initial request for a time extension on February 4, 1988. By letter to the Director of the Office of Nuclear Reactor Regulation dated February 29, 1988, AMP-Ohio has requested another time extension to file its comments in the captioned proceeding. Counsel for AMP-Ohio indicated in its request that its client and Ohio Edison "...were close to a comprehensive, long-term power supply and interconnection agreement which would significantly alter the relationship between Ohio Edison and many of AMP-Ohio's municipal electric members (and thus the nature of AMP-Ohio's comments in this

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docket)." The agreement in question has yet to be finalized and AMP-Ohio has requested a 30-day extension until April 6, 1988, in which to file its comments.

Given the apparent progress in the AMP-Ohio/Ohio Edison negotiations to date and the prospects for resolution of the issues that exist between these two parties if the comment period is extended, staff hereby grants AMP-Ohio's request (which is unopposed by Ohio Edison) and extends the time for comments from the public on Ohio Edison's amendment until April 6, 1988. Staff hopes this time extension will contribute to a timely resolution of the issues that remain outstanding between AMP-Ohio and Ohio Edison.

Any person who wishes to express views pursuant to the antitrust issues raised in this amendment request, should submit said views by April 6, 1988 to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Policy Development and Technical Support Branch, Office of Nuclear Reactor Regulation.

FOR THE NUCLEAR REGULATORY COMMISSION

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Cecil O. Thomas, Chief
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DISTRUBUTION

Docket File 50-440A
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