

JUL 25 1986

The Honorable Michael Synar, Chairman
Subcommittee on Environment, Energy and
Natural Resources
Committee on Government Operations
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This letter is to inform the Subcommittee on Environment, Energy and Natural Resources that the Commission has received additional antitrust advice from the Attorney General in connection with Public Service Company of New Hampshire's construction permit application for the Seabrook Nuclear Station, Units 1 and 2. The Attorney General's review was precipitated by the anticipated sale of approximately 12% of the Seabrook Units to the EUA Power Company. This advice is rendered pursuant to Section 105c of the Atomic Energy Act of 1954, as amended.

The Attorney General's letter concludes that:

"Our review of the information submitted in connection with the present application, as well as other relevant information, has disclosed no evidence that the proposed participation by EUA Power Company in the Seabrook Units would either create or maintain a situation inconsistent with the antitrust laws under Section 105(c). We do not, therefore, believe it is necessary for the Commission to hold an antitrust hearing in this matter."

A copy of the Attorney General's letter, dated July 1, 1986, is enclosed for your information.

Sincerely,

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosures:
As stated

cc: Rep. William F. Clinger, Jr.

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OCA(3) LSolander VNerses, PM HDenton VStello
Docket File, No. 50-443A WLambe NRC PDR OCA RVollmer
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*see previous concurrences.

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DATE	: 7/ /86	: 7/ /86	: 7/ /86	: 7/ /86	: 7/ /86	: 7/ /86	: 7/ /86

Docket Nos. 50-443A, 50-444A

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OFC	: PRAB:PPAS	: PRAB:PPAS	: DIR:PPAS	: DDIR:NRR	: DIR:NRR	: OGC	
NAME	: WLambe:an	: LSolander	: JFunches	: RVollmer	: HDenton	: BVogler	
DATE	: 7/9/86	: 7/9/86	: 7/9/86	: 7/ /86	: 7/ /86	: 7/1/86	: 7/ /86



U.S. Department of Justice

Antitrust Division

Office of the Assistant Attorney General

Washington, D.C. 20530

JUL 01 1986

Joseph Rutberg, Esq.
Antitrust Counsel
Nuclear Regulatory Commission
Washington, D.C. 20555

Re: In The Matter Of Seabrook Nuclear Station Units 1 and 2 (Docket Nos. 50-443 and 50-444), Amendment No. 57 to License Application Dated March 30, 1973, Request for a Partial Transfer of Construction Permit Nos. CPPR-135 and CPPR-136

Dear Mr. Rutberg:

You have requested our advice pursuant to Section 105(c) of the Atomic Energy Act of 1954, as amended, in connection with the purchase by EUA Power Company of an ownership interest in the above-captioned nuclear facility.

EUA Power Company, a wholly-owned subsidiary of Eastern Utilities Associates will purchase an interest totalling approximately 12% of the two Seabrook units from Central Vermont Public Service Corporation, Central Maine Power Company, Bangor Hydro-Electric Company, Maine Public Service Company and Fitchburg Gas and Electric Light Co.

Our review of the information submitted in connection with the present application, as well as other relevant information, has disclosed no evidence that the proposed participation by EUA Power Company in the Seabrook Units would either create or maintain a situation inconsistent with the antitrust laws under Section 105(c). We do not, therefore, believe it is necessary for the Commission to hold an antitrust hearing in this matter.

Sincerely,

Charles F. Rule
Acting Assistant Attorney General

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