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October 25, 1978



Secretary
U. Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Docketing and Service
Branch

Re: Arizona Public Service Company et al., Docket Nos.
50-592A and 50-593A (Project No. P-662A)

Dear Mr. Secretary:

This is in response to the Nuclear Regulatory Commission's notice of September 25, 1978 concerning petitions for leave to intervene and requests for a hearing on the antitrust aspects of the application for a construction permit for Palo Verde Units 4 and 5. The Cities of Anaheim and Riverside, California are pursuing their rights to participate in those units. The Cities believe that they (and perhaps other participants in the project) would be harmed by any delay of the construction permit. The Cities therefore do not seek an antitrust hearing.

However, the Cities have filed an antitrust suit against one of the participants in the Palo Verde project, Southern California Edison Company. Anaheim, Riverside, Banning, Colton and Azusa, California v. Southern California Edison Company, United States District Court, Central District of California, CV-78-810-MML. Furthermore, the Cities are alleging in proceedings before the Federal Energy Regulatory Commission that Edison has acted anti-competitively: FERC Docket Nos. E-7777 (Phase II), E-7796, and ER76-205. Although the Cities do not hereby request an antitrust review of the application for a construction permit in this proceeding, they expressly reserve and do not waive their antitrust claims and allegations presented or to be presented in any forum.

Sincerely,

Alan J. Roth

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Riverside, California

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