



ASSISTANT ATTORNEY GENERAL
ANTITRUST DIVISION

United States Department of Justice

WASHINGTON, D.C. 20530

19 DEC 1978

Howard K. Shapar, Esquire
Executive Legal Director
Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Seabrook Nuclear Power Station,
Units 1 and 2
Public Service Company of
New Hampshire, et al.
NRC Docket Nos. 50-443A and 50-444A

Dear Mr. Shapar:

You have requested our further advice pursuant to Section 105c of the Atomic Energy Act of 1954, as amended, in regard to the above-captioned application. The Department previously rendered advice respecting this application on December 4, 1973 and November 13, 1975. We understand that the Massachusetts Municipal Wholesale Electric Company (MMWEC) and Maine Public Service Company propose to participate with the Public Service Company of New Hampshire and several other licensees in the Seabrook Nuclear Power Station, Units No. 1 and No. 2. Under the participation plan, MMWEC would obtain a 139.99 megawatt share (or a 5.86238% ownership interest) of the facility, while Maine Public Service Company would acquire a 34.82 megawatt share (or a 1.50009% ownership interest). Both of these applicants underwent successful antitrust review by the Department, as reported in my letter of August 27, 1977, in connection with the Millstone Nuclear Power Station, Unit No. 3, NRC Docket No. 50-423A. MMWEC also underwent affirmative antitrust review, as communicated in my letter of April 20, 1978, in connection with the Pilgrim Nuclear Generating Station, Unit No. 2, NRC Docket 50-471A.

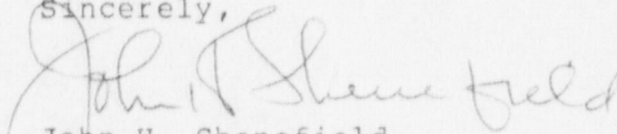
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Our review of the information submitted for the proposed additional participants, as well as other relevant information, has disclosed no basis upon which to change our previous conclusion that no antitrust hearing will be required regarding this nuclear facility.

Sincerely,

A handwritten signature in cursive script, reading "John H. Shenefield". The signature is written in dark ink and is positioned above the typed name.

John H. Shenefield
Assistant Attorney General
Antitrust Division