



# Department of Justice

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## DEPARTMENT OF JUSTICE ISSUES BUSINESS REVIEW LETTER

WASHINGTON, D.C. -- The Department of Justice announced today it does not intend to challenge under antitrust laws the proposed Advanced Reactor Corporation (ARC) joint venture to support research and development of standardized designs for certain advanced light water nuclear reactors.

The Department's position was stated in a business review letter from J. Mark Gidley, Acting Assistant Attorney General in charge of the Antitrust Division, to counsel for ARC.

ARC is a District of Columbia not-for-profit membership corporation. ARC's members are 16 United States electric utilities, the Electric Power Research Institute and the United States Department of Energy.

Gidley said the Department concluded the joint venture was unlikely to harm competition in any market. Because of the commercial risk involved in research and development of nuclear plant designs, it appears unlikely that any of the ARC firms would enter that market on their own. The proposed joint venture therefore promotes competition and encourages the development of a new product.

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The Department also concluded the venture would not have an anticompetitive effect in secondary markets for electricity generation or architectural and engineering services.

Under the Department's business review procedure, a person or organization may submit a proposed course of action to the Antitrust Division and receive a statement as to whether the Division will challenge the activity under the antitrust laws.

A file containing the business review request and the Department's response may be examined in the Legal Procedure Unit of the Antitrust Division, Room 3233, Department of Justice, Washington, D.C. 20530. After a 30-day waiting period, the documents supporting the business review will be added to the file.

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