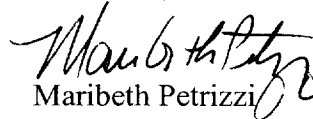


assets “at such price and on such terms as are then obtainable upon reasonable effort” (Judgment, §V(B)). At this point in the divestiture process, however, it would be inappropriate to conclude that the defendants’ – or if necessary, the trustee’s – efforts to sell Pechiney’s brazing sheet assets will not produce an acceptable, viable purchaser capable of vigorously competing in the development, production, and sale of brazing sheet in North America.¹

Thank you for bringing your concerns to our attention; we hope this information will help alleviate them. Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(d), a copy of your comment and this response will be published in the Federal Register and filed with the Court.

Sincerely yours,



Maribeth Petrizzi
Chief
Litigation II Section

¹An “acceptable purchaser” of Pechiney’s brazing sheet business would not be a firm so burdened by its former owners’ legacy costs that it is unviable. *See* Judgment, § IV(J): Divestiture terms must not give the defendants “the ability unreasonably to raise the [new firm’s] costs, to lower [its] . . . efficiency, or otherwise to interfere in . . . [its] ability . . . to compete effectively.”

Maribeth Petrizzi
Chief, Litigation II Section
Antitrust Division
United States Department of Justice
1401 H Street, NW
Suite 3000
Washington, DC 20530

Re: Alcan Acquisition of Pechiney

Dear: Ms. Petrizzi:

It is with great concern that I write to you concerning the acquisition of Pechiney by Alcan. I am president of the Development Authority of Jackson County, West Virginia, where Pechiney has a major plant, Pechiney Rolled products. Under the pending consent decree Alcan is required to divest that plant.

The Jackson County Development Authority adopted the following resolution of February 3, 2004 to express its concern about the long term continuation of the Pechiney Rolled Products plant as an employer and taxpayer in the county:

WHEREAS, the Jackson County Development Authority is a body politic created by act of the Jackson County Commission; and

WHEREAS, Pechiney Rolled Products is a major employer and taxpaying business in Jackson County, West Virginia; and

WHEREAS, under a consent decree permitting the acquisition of Pechiney by Alcan, the purchaser is required to divest that plant by selling it to an owner who would continue to produce brazing sheet at the plant; and

WHEREAS, this Authority is concerned that a new owner would lack the capability to operate the plant successfully in light of the plant's lack of profitability and the necessity of integrating it into allied operations of the owner; and

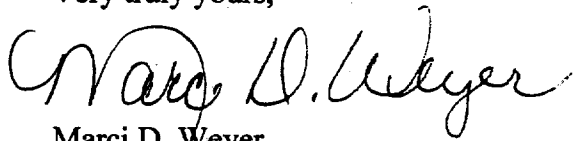
WHEREAS, a shutdown at the plant would be devastating to the people of Jackson County; and

WHEREAS, continued operation of the plant by Alcan, a qualified owner, would avert the danger of a shutdown of the plant; therefore

IT IS RESOLVED, that the foregoing concerns of the Jackson County Development Authority should be made known to the Court considering the consent decree, so that the public interest may be served and the Court might, if no reliable buyer is found for the plant, reconsider the advisability of terminating the requirement of divestiture and permit Alcan to own and operate the plant.

I understand that comments made to you will be conveyed to the parties to the consent decree and to the court.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marci D. Weyer". The signature is fluid and cursive, with the first name "Marci" being more prominent and the last name "Weyer" following in a similar style.

Marci D. Weyer
President

Jackson County Development Authority

RESOLUTION

WHEREAS, the Jackson County Development Authority is a body politic created by act of the Jackson County Commission; and

WHEREAS, Pechiney Rolled Products is a major employer and taxpaying business in Jackson County, West Virginia; and

WHEREAS, under a consent decree permitting the acquisition of Pechiney by Alcan, the purchaser is required to divest that plant by selling it to an owner who would continue to produce brazing sheet at the plant; and

WHEREAS, this Authority is concerned that a new owner would lack the capability to operate the plant successfully in light of the plant's lack of profitability and the necessity of integrating it into allied operations of the owner; and

WHEREAS, a shutdown at the plant would be devastating to the people of Jackson County; and

WHEREAS, continued operation of the plant by Alcan, a qualified owner, would avert the danger of a shutdown of the plant; therefore

IT IS RESOLVED, that the foregoing concerns of the Jackson County Development Authority should be made known to the Court considering the consent decree, so that the public interest may be served and the Court might, if no reliable buyer is found for the plant, reconsider the advisability of terminating the requirement of divestiture and permit Alcan to own and operate the plant.