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Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

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USNRC

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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Ms. Annette Vietti-Cook , Secretary
U.S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, D.C. 20555-0001

Dear Ms. Vietti-Cook:

NUCLEAR REGULATORY COMMISSION (NRC) - CHANGES TO
ADJUDICATORY PROCESS (VOLUME 66 *FEDERAL REGISTER* 19610)

TVA appreciates the opportunity to review and comment on the subject proposed rule published in the April 16, 2001 *Federal Register*. TVA supports changes that will improve the efficiency of the NRC's adjudicatory proceedings as well as improve the quality and usefulness of the information obtained in such proceedings. As such, TVA endorses the comments provided by the Nuclear Energy Institute (NEI).

TVA agrees with NEI that much of the existing NRC hearing process remains infused with old, outdated regulatory concepts which do not reflect the present state of the law and its practice. It has become well recognized in current regulatory practice that certain cases are better suited to more informal procedures rather than formal trial-type, adversarial proceedings. The processes outlined by NEI provides a balanced, workable approach to the conduct of adjudicatory proceedings, and we urge NRC to adopt them in their entirety.

If you have questions regarding this response, please contact me at (423) 751-2508.

Sincerely,


Mark J. Burzynski
Manager
Nuclear Licensing