

September 12, 2002

Mr. C. S. Hinnant
Senior Vice President and Chief Nuclear Officer
Crystal River Unit 3 Nuclear Generating Plant
Progress Energy, Inc.
410 South Wilmington Street
Raleigh, NC 27601

SUBJECT: CRYSTAL RIVER, UNIT 3, FLORIDA POWER CORPORATION - REQUEST TO
CORRECT DECOMMISSIONING TRUST FUND FOR DOCKET NO. 50-302,
LICENSE NO. DPR-72 (TAC NO. MB6142)

Dear Mr. Hinnant:

In a letter dated August 8, 2002, Florida Power Corporation (FPC), a rate-regulated electric utility, as defined in Title 10 of the *Code of the Federal Regulations* (10 CFR) Section 50.2, informed the U. S. Nuclear Regulatory Commission (NRC) that it intends to withdraw approximately \$14 million of its 2001 decommissioning trust fund contributions and suspend contributions to the decommissioning trust fund from 2002 to 2005, as required by the Florida Public Service Commission (FPSC) and directed by the Federal Energy Regulatory Commission. This action is being taken by FPC in order to comply with FPSC Order PSC-02-0136-CO-EI and FPSC Order PSC-02-0055-PAA-EI. These Orders retroactively reduced the required calendar year 2001 FPC decommissioning fund contributions for Crystal River Unit 3 (CR3). According to FPC, the orders represent final action by the FPSC on a rate case filed in 2000.

The staff notes that the withdrawal is not expected to reduce the decommissioning funds below the minimum amount that is required by 10 CFR 50.75(c).

Under the circumstances discussed above, the NRC staff does not object to the withdrawal required for compliance with the FPSC Orders.

If there are questions concerning the above, you may contact me at 301-415-2020 or by e-mail at blm@nrc.gov. This concludes our efforts on TAC No. MB6142.

Sincerely,

/RA/

Brenda L. Mozafari, Senior Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-302

cc: See next page

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