

**From:** James Turdici  
**To:** Norman St. Amour; Richard Borchardt  
**Date:** 7/12/01 2:41PM  
**Subject:** Getting prepared for Exelon

Bill, Norm:

Before going into next week's meeting with Exelon, I really desire clarification (or at least the latest thinking) on three questions if it is possible. I do not want to appear to Exelon that I am not being cooperative in terms of providing them information about possible annual fee amounts. We have developed three scenarios and they hinge on really two questions being answered. What is the decision on whether they will have one license for up to 10 modules or a license for each module? Is the steady state regulatory oversight for PBMR's significantly different from PWRs and BWRs or is it about the same?

My questions are:

1. I see that there is a draft letter to Exelon indicating that the "NRC may be able to issue a single combined license that would authorize construction of multiple PBMR modules (separate nuclear reactors) of the same design." When do we expect the agency to make that decision officially? Is that decision dependent on some other action (ie clarification from some external organization, Commission paper) or is that a staff call?
2. When will NRR be ready to put something in writing regarding the regulatory oversight that is necessary for PMBR?
3. The question surfaced during the last meeting with Exelon that if some new "combined" licensing technique was used, when would annual fees go into effect. I understand that this "combined" license is a combined construction and operating license versus a combining of modules on a single license. I understand that under this "combined" license Exelon would still be required to ask for Commission approval prior to going operational. If this is the case, my position would be that once the Commission approved the operational condition that the annual fee would go into effect at that time and NOT upon the issuance of this "combined" license. Who has the authority to answer this question? Do I, as the generator and implementer of the fee rules or is this an OGC issue? I believe we should be prepared to answer this question next week.

Jim

**CC:** Amy Cabbage; Diane Jackson; Glenda Jackson; Jesse Funches; M. Ellen Poteat; Steven Crockett; Trip Rothschild

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