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From: Karen Fitch  
To: Rabideau, Peter CFO  
Date: 10/1/01 10:02AM  
Subject: DAF/DPBA Comments on Draft SECY re: Exelon PBMR White Papers

The following are DAF comments on the subject draft , including the annual fee insert.

The BACKGROUND section and the cover page to the attachment state that the staff requests Commission guidance on several issues, including the commencement of annual fees. However, the SUMMARY section as well as the annual fee section (Section I of the attachment) state that the FY 2002 fee rule would establish when NRC would begin to charge an annual fee for a Part 52 combined license, and that staff contemplates assessing the annual fee only after construction is complete, all requirements have been met, and the Commission authorizes operations of the facility. If we are not seeking Commission guidance on this issue, the BACKGROUND section and attachment cover page should be revised, otherwise, the SUMMARY section and annual fee section of the attachment should be revised to indicate we are seeking Commission guidance on when the annual fees should commence, and the statements that we are taking action on this issue in the FY 2002 fee rule should be eliminated.

DAF/DPBA recommendation:

- 1) Delete the 3rd bullet, "Commencement of Annual Fees," under the 2nd paragraph on page 2 of the memo.
- 2) Delete "I.2." from the next to the last sentence in the 1st paragraph on page 1 of the Attachment ("Further, the staff also requests Commission guidance on several staff-identified issues related to Part 52 licensing procedures or licensing small, multiple reactors (Items H 2., H.3., I 2 , and K) ")

CC: Jackson, Glenda; Pulliam, Timothy; Rough, Richard, Turner, Charlotte

V/15