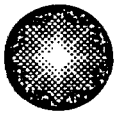


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**Constellation  
Energy Group**

**DOCKET NUMBER**  
**PROPOSED RULE** **170+171**  
**(69FR 04865)**

DOCKETED  
USNRC

March 3, 2004

March 4, 2004 (3:42PM)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Secretary  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**ATTENTION:** Rulemakings and Adjudication

**SUBJECT:** Calvert Cliffs Nuclear Power Plant  
Unit Nos. 1 & 2; Docket Nos. 50-317 & 50-318  
Nine Mile Point Nuclear Station  
Unit Nos. 1 & 2; Docket Nos. 50-220 & 50-410  
Comments on Proposed Rule: Revision of Fee Schedules; Fee Recovery for  
FY 2004 (68 Fed. Reg. 16374, April 3, 2003)

**REFERENCE:** (a) Letter from Mr. S. D. Floyd (NEI) to Rulemakings and Adjudication (NRC)  
dated March 3, 2004, "Proposed Rule: Revision of Fee Schedules; Fee  
Recovery for FY 2004 (69 Fed. Reg. 4865, February 2, 2004)"

Constellation Generation Group, LLC, on behalf of licensees Calvert Cliffs Nuclear Power Plant, Inc.  
and Nine Mile Point Nuclear Station, LLC, hereby submits its comments on the subject proposed rule.

We support and endorse the comments submitted by Mr. S. D. Floyd, Nuclear Energy Institute, on behalf of the commercial nuclear industry (Reference a). Of the points made within the Nuclear Energy Institute letter, we would like to emphasize our objection regarding the proposed fee increase for power reactors for homeland security issues. The Nuclear Regulatory Commission requested these expenditures be paid from the general funds and not licensee fees; however, the 2004 Energy and Water Development Appropriations Act included them in the Nuclear Regulatory Commission's budget for recovery under the user fee rule. As stated in Reference (a), the costs to support homeland security activities should be funded through the general treasury—not user fees—as part of the nation's protection of critical infrastructure.

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SEC4-02

Should you have questions regarding this matter, we will be pleased to discuss them with you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charles E. Schumer", written in a cursive style.

CHC/GT/bjd

cc: J. Petro, Esquire  
J. E. Silberg, Esquire  
R. J. Laufer, NRC  
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Senator B. A. Mikulski (D-MD)  
Senator P. S. Sarbanes (D-MD)  
Senator C. E. Schumer (D-NY)  
S. D. Floyd, NEI