



12/2/03
68 FR 67492
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L-2004-121
MAY 25 2004

Chief, Rules and Directives Branch
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555-0001

Re: Florida Power & Light Company and FPL Energy Seabrook, LLC Comments on Proposed Interim Enforcement Policy for Pilot Program on the Use of Alternative Dispute Resolution in the Enforcement Program

Florida Power & Light Company (FPL), the owner and operator of the St. Lucie Nuclear Plant, Units 1 and 2, the Turkey Point Nuclear Plant, Units 3 and 4, and FPL Energy Seabrook, LLC, the owner of a controlling interest in and the operator of Seabrook Station (collectively FPL), concurs with the comments of the Nuclear Energy Institute (NEI) regarding the Proposed Interim Enforcement Policy for the Pilot Program on the Use of Alternative Dispute Resolution in the Enforcement Program (ADR Policy). In addition, FPL offers the following comment:

- The ADR Policy provides that "all documents, including the proposed settlement agreement, submitted to the NRC will be official agency records, and while not generally publicly available, still subject to the Freedom of Information Act (FOIA)." FPL believes that an unsigned, proposed settlement agreement constitutes a draft document, and should be withheld from public disclosure under the same confidentiality provisions that govern the ADR process in general.

We appreciate the opportunity to comment on this important issue.

Sincerely yours,

J.A. Stall
Senior Vice President, Nuclear
And Chief Nuclear Officer

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