



Westinghouse

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OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

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DOCKET NUMBER  
PROPOSED RULE PR 170.171  
(70 FR 08678)

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

Attention: Adjudications Staff

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Our ref: LTR-NRC-05-18

March 24, 2005

Subject: Comments on FY 2005 Proposed Fee Rule (RIN 3150-AH61)

Westinghouse Electric Company wishes to comment on the proposed fee rule, specifically with regard to the substantial increase in the part 170 fees assessed to applicants for NRC reviews.

The proposed hourly rate charged under part 170 represents a more than 30% increase in fees. An increase of this magnitude will have a significant impact on vendors, fuel suppliers and utilities who request NRC reviews of license amendment requests and topical report reviews. With the proposed fee changes taking effect at the beginning of FY2006 this could have a negative impact of initiatives currently in progress for individual utilities, utility owner's groups, and vendors. The budgeting process for these initiatives often has a much longer cycle, especially for complex, long-term programs. The increase in fees could lead to delays in important programs that would allow technological and safety improvements to be put into practice in the nuclear industry.

While we acknowledge the basis for modifying the fee structure, such a substantial change at one time is overly burdensome. We respectfully request that the proposed rule be amended such that this year's change in fee structure be phased in over a longer period of time, preferably over three years. This would reduce the impact on ongoing initiatives and allow licensees, applicants, facilities undergoing decommissioning, and stakeholders to adjust their budgets and prices to recoup this increase.

Thank you for your consideration of these comments.

Sincerely,

J. A. Gresham, Manager  
Regulatory Compliance and Plant Licensing  
Westinghouse Electric Company

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SECY-02