

August 26, 2009

Mr. Steven Hucik  
General Manager Nuclear Plant Project  
General Electric Nuclear Energy  
3901 Castle Hayne Rd  
Mail Stop: A-50  
Wilmington, NC 28402-2891

Dear Mr. Hucik:

This letter is to inform you of the current fee requirements regarding the U.S. Nuclear Regulatory Commission's (NRC) cost to review and approve the standardized design for the General Electric (GE) Advance Boiling Water Reactor (ABWR). The application was filed September 29, 1987, at a time when the NRC rules on fees allowed payments to be deferred until the designs were referenced in applications for construction permits or operating licenses. However, as a result of a rule change that became effective on August 9, 1991, payment of NRC review costs incurred after that date are to be paid on a quarterly basis. The NRC certified the GE ABWR design effective June 11, 1997, so GE paid for NRC review costs for nearly six years. Still, payment of the NRC's costs for the ABWR review incurred before the 1991 rule change has remained deferred. Those deferred costs, listed in the enclosure, total \$1,044,180.

In accordance with 10 CFR Part 170.12(b)(7)(i), such costs must be paid in five (5) equal installments. An installment is payable each of the first five times the approved/certified design is referenced in an application for a construction permit, combined license issued under 10 CFR Part 52, or operating license. The applicant for certification shall pay the installment, unless another entity is supplying the design to the applicant for the construction permit, combined license, or operating license, in which case the other entity shall pay the installment.

Although the design is referenced in a single application, the application will result in two separate licenses. Therefore, in accordance with 10 CFR Part 170.12(b)(7)(i), the NRC is enclosing an invoice for \$417,672 which is equivalent to two of the five equal installments for deferred costs.

If you have any questions, please contact Billy Blaney at 301-415-5092.

Sincerely,

*/RA/*

Cynthia A. Rheaume, Controller  
Division of the Controller  
Office of the Chief Financial Officer

Enclosure:  
As stated

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 Division of the Controller  
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Enclosure: As stated, Distribution:OCFO/FM RF ML092430365

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