

Consolidated Edison Company of New York, Inc.
4 Irving Place, New York, N.Y. 10003
Telephone (212) 480-3519

May 15, 1975

Division of Accounting
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Gentlemen:

In accordance with your invoice No. 40-75, dated April 28, 1975, Consolidated Edison Company of New York, Inc. ("Con Edison"), encloses herewith a check for Seven Hundred Sixty Thousand Six Hundred Dollars (\$760,600.00), in payment of the Operating License Fee for Indian Point Unit 3 (Docket 50-286).

Con Edison is paying this fee under protest. We believe the fee is excessive and illegally imposed in light of the Supreme Court decisions in National Cable Television Ass'n., Inc. v. U.S. (94 S. Ct. 1146) and FPC v. New England Power Co. (94 S. Ct. 1156). Con Edison submitted comments on January 10, 1975 stating our position in the Commission's rule-making proceeding on revision of license fee schedules announced November 11, 1974.

We reserve our rights in this case, including the right to further contest the imposition of such fees, and the right to a refund of that part of this payment which is in excess of the fee finally determined, as a result of the rule-making, to be lawful and reasonable.

Very truly yours,

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WJC:rc
Enclosure

William J. Cahill

cc: Womiller