



PR-170 & 171  
82FR08696

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RS-17-037

February 28, 2017

Secretary  
U.S. Nuclear Regulatory Commission  
ATTN: Rulemakings and Adjudications Staff  
Washington, DC 20555-0001

Subject: Comments Concerning Revision of Fee Schedules; Fee Recovery for Fiscal Year 2017 (82 *Fed. Reg.* 8696, dated January 30, 2017) (Docket ID NRC-2016-0081)

Exelon Generation Company, LLC ("Exelon") submits these comments on the Nuclear Regulatory Commission's (NRC's) proposed rule to revise the fee schedules in 10 CFR Parts 170 and 171 for Fiscal Year 2017, published at 82 *Fed. Reg.* 8696 on January 30, 2017. Exelon is encouraged by recent NRC efficiency improvements, many of which were achieved through Project Aim, which have resulted in reduced operating reactor annual fees. We also applaud the NRC for recognizing improved productivity by increasing the direct hours per full-time equivalent when calculating the hourly rate. Although we acknowledge that the final fee rule will be based on the NRC's actual appropriation rather than the FY2017 Congressional Budget Justification, we appreciate the NRC publishing the FY2017 proposed fee rule approximately two months earlier than in years past.

That said, Exelon continues to have many of the same concerns regarding the fee development process that we have expressed in recent years.<sup>1</sup> In particular, although the NRC has added some additional information to the work papers supporting the proposed fee rule, the papers still lack enough detail to precisely determine the specific costs that are being recovered through annual fees. For example, the work papers indicate that several items dominate the contracting portion encompassed by the operating reactor annual fee. However, the work papers provide no information regarding the specific projects driving these contracting numbers, such as the issues being researched, the type of information technology support needed, and the licensing actions anticipated. We encourage the NRC to continue adding detail to the work papers to allow licensees to discern exactly what work their annual fees are funding.

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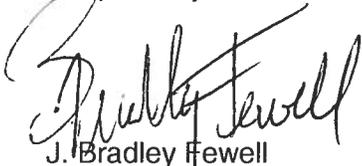
<sup>1</sup> See Letter from J. Fewell, Exelon, to C. Bladey, NRC, "Comments Concerning Fee Development and Communications (81FR15352, dated March 22, 2016) (Docket ID NRC-2016-0056)," dated May 6, 2016 (ADAMS ML16133A327); Letter from B. Hanson, Exelon, to U.S. NRC, "Comments Concerning Proposed Rule 10 CFR Parts 170 and 171, 'Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015' (80FR15476, dated March 23, 2015) (Docket ID NRC-2014-0200)," dated April 22, 2015 (ADAMS ML15113B230); Letter from M. Pacilio, Exelon, to U.S. NRC, "Comments Concerning Proposed Rule 10 CFR Parts 170 and 171, 'Revision of Fee Schedules; Fee Recovery for Fiscal Year 2014', (79FR21036, dated April 14, 2014) (Docket ID NRC-2013-0276)," dated May 9, 2014 (ADAMS ML14132A374).

Exelon applauds the fee development process improvements that the NRC has thus far implemented.<sup>2</sup> To that end, we encourage the NRC to continue striving for additional efficiency gains, such as electronic invoicing. The NRC should explore immediate, incremental steps towards electronic invoicing short of an entire system upgrade (which the NRC is not planning to implement until FY2020<sup>3</sup>). This could include, for example, automatically e-mailing copies of the paper invoices as soon as those invoices are mailed to the licensee. Even that small step would benefit licensees by providing more timely invoices.

Lastly, Exelon supports the comments of the Nuclear Energy Institute on the FY2017 proposed fee rule.

Exelon appreciates the opportunity to submit these comments. If you have any questions or require further information, please contact Darani Reddick, Regulatory Affairs Manager & Assistant General Counsel, at 202-637-0339.

Respectfully,

A handwritten signature in black ink, appearing to read "J. Bradley Fewell". The signature is written in a cursive, flowing style.

J. Bradley Fewell  
Senior Vice President Regulatory Affairs & General Counsel  
Exelon Generation Company, LLC

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<sup>2</sup> NRC Slides for Feb. 16, 2017 Public Meeting on FY2017 Proposed Fee Rule (ADAMS ML17047A255).

<sup>3</sup> *Id.* at 35.