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 FACIL: 50-335 SAINT LUCIE #1, FLORIDA POWER & LIGHT CO..
 AUTH. NAME UHRIG, R.E. AUTHOR AFFILIATION FLORIDA POWER & LIGHT CO.
 RECIP. NAME MILLER, W.O. RECIPIENT AFFILIATION *LICENSE FEE MANAGEMENT BRANCH

DOCKET # 05000335

SUBJECT: Responds to 781129 request for Class 2 fee for 780905 appl re surveillance req for onsite diesel generators used for A/C. Requests reconsideration, as FPL did not initiate or plan to initiate appl & was submitted solely per Comm request.

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THE
STATE OF
NEW YORK
IN SENATE
January 15, 1914.

REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE
IN RESPONSE TO A RESOLUTION
PASSED BY THE SENATE
MAY 15, 1912.

ALBANY:
J. B. LIPPINCOTT COMPANY,
PRINTERS,
1914.



December 18, 1978
L-78-389

Office of Administration
Attention: Mr. William O. Miller, Chief
License Fee Management Branch
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Mr. Miller:

Your letter to me dated November 29, 1978, requested a Class II fee of \$1,200.00 for FPL's September 5, 1978, application relating to the surveillance requirements for the diesel generator units used as the onsite A.C. power source at St. Lucie Unit 1. Our application stated our belief that no license amendment fee was required because the request was initiated in response to an NRC staff request and it had only minor safety significance. You have rejected that position apparently on the basis that the request does not meet two of the criteria listed in 10 CFR 170.22 as the bases for license fee exemptions: (1) the requested amendments must simplify or clarify the license or technical specifications and this application does not do that; and (2) the amendments must be issued for the convenience of the Commission which is not the case in this instance.

It would appear that you are using an overly restrictive application of the criteria for a license fee exemption. Your position seems to be that all of the criteria must be satisfied before such an exemption can be granted. We would maintain that in any event, an exemption is justified if the application is submitted in response to a Commission request. It is unreasonable to impose an expense upon a licensee for an action which he did not initiate and did not plan to initiate. We herewith request that you reconsider your position and declare that the subject application is fee exempt.

Yours very truly,

Robert E. Uhrig
Vice President

REU:LLL:cf

cc: Harold F. Reis, Esquire

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RECEIVED BY LFMB	
Date..	12/21/78
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By....	R. J.
From.....	
Cy to.....	
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ADD
12/21/78
W. MILLER
FOR 2012
LFR

7812290147



December 18, 1978
L-78-389

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Robert E. Uhrig
Vice President

REU:LLL:cf

cc: Harold F. Reis, Esquire

RECEIVED BY LFMB	
Date	12/18/78
Time	10:00
By	[Signature]
From	
Cy to	
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Handwritten notes:
Aool
2/5/10
W O Miller
FOR ACTION
LTR