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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

FEB 8 1980

DOCKET NOS. 50-266
150-301

Wisconsin Electric Power Company
ATTN: Mr. C. W. Fay, Director
Nuclear Power Department
231 West Michigan Street
P. O. Box 2046
Milwaukee, Wisconsin 53201

Gentlemen:

This is in response to your letter dated December 10, 1979, which stated your objection to the payment of the Class III and I fees requested in our letter dated November 13, 1979, for your July 10, 1979 Technical Specification Change No. 59. The change involved qualification requirements for the site Radiation Protection Manager at the Point Beach Nuclear Plant Unit Nos. 1 and 2.

The staff of the Office of Nuclear Reactor Regulation (ONRR) have completed their reviews of your July 10, 1979 application and your December 10, 1979 letter. Based on these reviews, it has been determined that the previously requested Class III and Class I fees are appropriate and still due. The application is not to simplify or clarify the licenses or technical specifications for the convenience of the Commission, and it does involve an issue that has safety significance. Some examples of items falling under the provision of Footnote 2 are highlighted on the enclosed page 7214 of the February 21, 1979 Federal Register publication of the revision to 10 CFR part 170.

Your alternative suggestion of withdrawing your application does not change the fee requirements. This is because 10 CFR 170.12 provides that fees are chargeable irrespective of the Commission's disposition of the application or a withdrawal of the application. Although this provision is there, we have refunded fees for applications which were withdrawn before any ONRR review commenced.

In light of the above, it is requested that a total of \$4,400 be forwarded to this office within fifteen (15) days after your receipt of this letter.

Sincerely,

W. O. Miller

William O. Miller, Chief
License Fee Management Branch
Office of Administration

Enclosure
FR Publication of 2/21/78

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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