

February 25, 1980

## CERTIFIED MAIL

Mr. William O. Miller, Chief License Fee Management Branch Office of Administration U. S. NUCLEAR REGULATORY COMMISSION Washington, D. C. 20555

Dear Mr. Miller:

DOCKET NOS. 50-266 AND 50-301

PAYMENT OF AMENDMENT FEES

TECHNICAL SPECIFICATION CHANGE REQUEST NO. 59

POINT BEACH NUCLEAR PLANT UNITS 1 AND 2

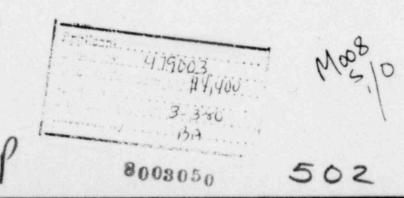
Your letter dated November 13, 1979 requested the payment of \$4,400 for the 10 CFR Section 170.22 Class III and Class I amendment approval fees which you had determined were required for the NRC's review and approval of Wisconsin Electric Power Company's Technical Specification Change Request No. 59 dated July 10, 1979. We had protested the payment of such fees in our letter dated December 10, 1979 on the basis that the subject change request was submitted only at the request of and for the convenience of the NRC. Therefore, in accordance with footnote 2 to 10 CFR Section 170.22, the amendment should have been exempt from fees. Your letter dated February 8, 1980 dismissed this argument and demanded payment of the fees within fifteen days of our receipt of that letter.

Accordingly, enclosed is a check payable to the NRC in the amount of \$4,400. We do not agree that the basis for this fee is appropriate; however, as discussed in your February 8 letter, we apparently have no other options except payment.

Very truly yours,

C. W. Fay, Director Nuclear Power Department

Enclosure (Check No. 479003)



NOTE TO: Mike Collins & Don Lanham, DSB (016)

Reba Diggs, License Fee Management Branch, ADM FROM:

SUBJECT: PROCESSING LETTERS WITH CHECKS RECEIVED DIRECTLY BY THE

LICENSE FEE MANAGEMENT BRANCH

Please process the enclosed letter under the applicable docket and give the following distribution under code MOO8:

> Original of 1tr to Regulatory Docket File Action Cy w/check to W. O. Miller, LFMB (L-233) 3 cys to applicable Branch of DOR or DPM 1 to LPDR 1 to PDR

I am retaining the check and the following information is for your records.

479003 Check No.: \$4,400 Amount:

2/26/80 Date:

2/25/80 Ltr. Date:

Applicant: Wisconsin Electric Power Company

Docket No: 50-266/301 Point Beach 1 %2 Plant:

Thanks!

License Fee Management Branch Office of Administration

POOR ORIGINAL