



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

November 19, 2019

Dr. Michael D. Meier  
Southern Nuclear Operating Company  
3535 Colonnade Parkway  
Birmingham, AL 35243

Dear Dr. Meier:

I am responding to the petition for rulemaking that you submitted to the U.S. Nuclear Regulatory Commission (NRC) on behalf of Southern Nuclear Operating Company, dated February 28, 2019 (ADAMS Accession No. ML19081A015). You requested that the NRC amend its regulations in Title 10 of the *Code of Federal Regulations* (10 CFR), Section 171.15, "Annual Fees: Reactor licensees and Independent Spent Fuel Storage Licenses," related to the point at which annual fees are assessed for a holder of a combined license under 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." You recommended that this starting point align with the commencement of commercial operation of the facility. The NRC docketed your petition on March 21, 2019, and assigned it Docket No. PRM-171-1.

The NRC published a notice of docketing in the *Federal Register* on June 10, 2019 (84 FR 26774). In the notice of docketing, the NRC requested public comment on your petition and received five public comment submissions during the 30-day public comment period. Comments received on the petition will be addressed in the proposed rule, "Revision of Fee Schedules: Fee Recovery for FY 2020" (Docket ID NRC-2017-0228; RIN 3150-AK10).

The NRC reviewed your petition and the public comments received. The NRC is considering one issue raised in PRM-171-1 in the rulemaking process—specifically, in the NRC's upcoming annual fee rule. Your concerns may not be addressed exactly as requested in your petition. The NRC also determined that one issue raised in PRM-171-1 does not necessitate rulemaking and is denying this remaining issue in your petition. The enclosed *Federal Register* notice explains the reasons for the partial consideration. Upon publication of the enclosed notice in the *Federal Register*, the docket for PRM-171-1 will be closed.

You may direct any questions about this matter to Mr. Dennis Andrukat by calling 301-415-3561 or sending an e-mail to [Dennis.Andrukat@nrc.gov](mailto:Dennis.Andrukat@nrc.gov).

Sincerely,

/RA/

Maureen E. Wylie,  
Chief Financial Officer

Enclosure:  
*Federal Register* notice