

HAND DELIVER

**HUNTON & WILLIAMS**

707 EAST MAIN STREET P. O. Box 1535

**RICHMOND, VIRGINIA 23212**

TELEPHONE 804-788-8200

WACHOVIA BANK BUILDING  
P. O. BOX 109  
RALEIGH, NORTH CAROLINA 27602  
919-828-9371

1919 PENNSYLVANIA AVE., N.W.  
P. O. BOX 19230  
WASHINGTON, D.C. 20036  
202-223-8650

FIRST VIRGINIA BANK TOWER  
101 ST. PAUL'S BOULEVARD  
NORFOLK, VIRGINIA 23510  
804-625-5501

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December 5, 1980

Mr. Harold R. Denton  
Director, Office of Nuclear  
Reactor Regulation  
U.S. Nuclear Regulatory  
Commission  
Washington, DC 20555

Philadelphia Electric Company  
Fulton Generating Station Units 1 and 2  
(NRC Dockets 50-463, 50-464)

Dear Mr. Denton:

Pursuant to § 2.107 of the Commission's regulations, 10 CFR § 2.107, Philadelphia Electric Company (PE or the Applicant) hereby withdraws its application (NRC Docket Nos. 50-463, 50-464) for a permit from the Nuclear Regulatory Commission to construct twin HTGR units designated Fulton Generating Station Units 1 and 2. A motion to withdraw the application without prejudice and to terminate construction permit proceedings has been filed today with the Atomic Safety and Licensing Board; a copy is attached.

The construction permit application for the Fulton units was filed in 1973, and staff review and prehearing discovery among the parties had taken place when, in 1975, PE informed the Atomic Safety and Licensing Board that its nuclear steam supply vendor had suspended work related to the Fulton project. PE requested, and the Board granted, permission to place the application in a suspended status. On December 29, 1978, PE filed an amendment to its construction permit application seeking an adjudicatory early site suitability review of the Fulton site pursuant to 10 CFR § 2.101(a-1) and Subpart F to Part 2 of the Commission's regulations. This amendment was docketed and has received an initial review by the Regulatory Staff but no substantial work on it has taken

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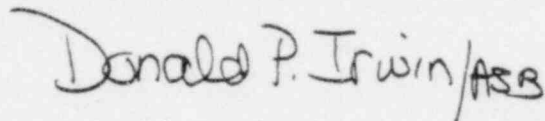
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place. On August 8, 1979, the Atomic Safety and Licensing Board issued a Memorandum and Order denying a motion made by various intervenors, and opposed by PE, to involuntarily terminate this proceeding. 10 NRC 220 (1979).

PE has recently concluded that there are no longer significant benefits to maintaining the Fulton application before the Commission. This fact, plus the pendency of proposed regulations (45 Fed. Reg. 74493, November 10, 1980) which as proposed would impose substantial additional fee liability for applications withdrawn after they become effective, has induced PE to withdraw its application before the regulations' effective date.

PE therefore requests that the Commission consider its application for a construction permit for Fulton Generating Station Units 1 and 2 to be withdrawn without prejudice as of the date of receipt of this letter. A copy of this letter is being sent today to the Atomic Safety and Licensing Board along with the motion requesting that it permit withdrawal of the application and that the Fulton proceeding be dismissed as moot.

Very truly yours,



Donald P. Irwin  
Attorney for  
Philadelphia Electric company

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Enclosure