

EDISON ELECTRIC INSTITUTE

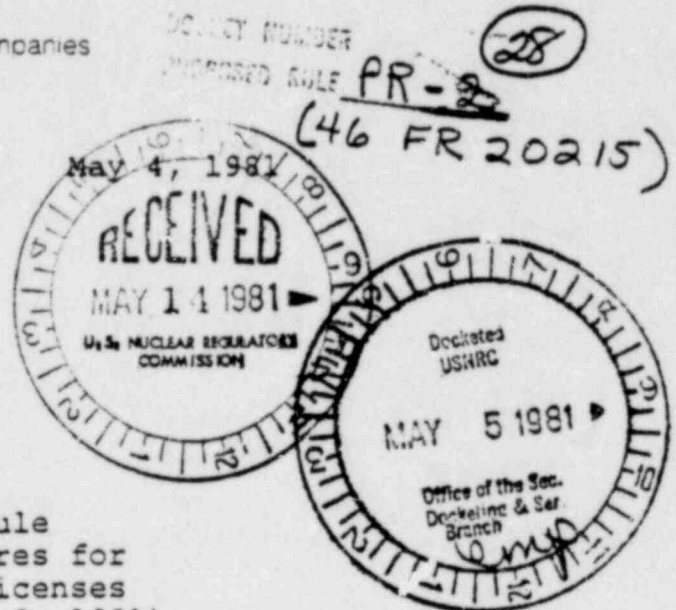
The association of electric companies

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Mr. Samuel J. Chilk
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attn: Docketing and Service Branch

Subject: Immediate Effectiveness Rule
Commission Review Procedures for
Power Reactor Operating Licenses
46 Fed. Reg. 20215 (April 3, 1981)



Dear Mr. Chilk:

The Edison Electric Institute offers the following comments on the Commission's proposed changes to 10 CFR Part 2, Appendix B.

The Edison Electric Institute (EEI) is the association of investor-owned electric utilities and its members provide about 78 percent of the nation's electricity, serving 67 million customers. All investor-owned electric utilities which operate, are constructing or plan to construct nuclear power plants, are members of EEI. All ten of the nuclear units listed in the March 31, 1981 NRR Monthly Status Report to Congress as facing licensing delays beyond construction completion are owned and will be operated by EEI member companies.

EEI urges the Nuclear Regulatory Commission (NRC) to adopt Option B of the proposed rule, granting immediate effectiveness of a Licensing Board decision concurrent with Appeal Board and Commission review. By the time of issuance of a favorable Licensing Board decision, an operating license application has already undergone extensive expert reviews by the NRC staff and the Advisory Committee on Reactor Safeguards, in addition to being subject to examination in the public hearing process. This procedure is adequate to allow a plant to commence operation.

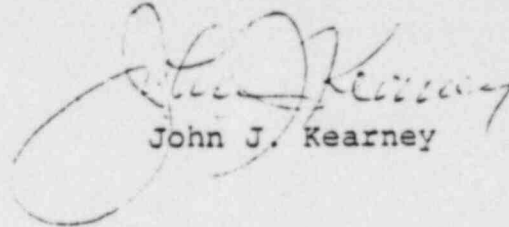
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In the Federal Register notice the Commission states ". . . the proposed modifications of Appendix B are not intended to allow any reduction in the overall quality of NRC adjudicatory proceedings" (46 Fed. Reg. 20216). EEI is confident that, in fact, the quality of the proceedings will not be diminished. Most importantly, the adoption of Option B will have the positive effect of removing the unjustified burden of increased costs on utility customers that result from an idle plant waiting for a further layer of review.

Sincerely,



John J. Kearney

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