

SEP 24 1982

Docket Nos. 50-369 and 50-370

Duke Power Company
ATTN: Mr. William C. Parker, Jr.
Vice President - Steam Production
422 South Church Street
P. O. Box 33189
Charlotte, North Carolina 28242

Gentlemen:

By letter dated September 2, 1982, the Division of Licensing (DL) staff approved your application dated March 30, 1979, as revised November 30, 1979 and November 26, 1980, and issued an order extending the construction completion date for the McGuire Nuclear Station, Unit No. 2. The March 30, 1979 application, as revised, requested an extension of the latest construction completion dates for the McGuire Nuclear Station, Unit Nos. 1 and 2. A Class II fee (\$1,200) and a Class I fee (\$400) were remitted with the March 30, 1979 application pursuant to 10 CFR 170.22.

Based on information provided by the DL staff, it has been determined that the March 30, 1979 application, as revised, relating to Unit No. 1 is exempt from the fee requirements since no review had commenced on the application prior to the issuance of Operating License NPF-9 on June 12, 1981 for Unit No. 1. On this basis, we have concluded that an exemption, pursuant to 10 CFR 170.11(b), from the fee requirements is authorized by law and such exemption is otherwise in the public interest and is hereby granted for the March 30, 1979 application relating to Unit 1. Therefore, a refund is appropriate. Since the approved portion of the March 30, 1979 application only involved Unit No. 2, we are retaining \$1,200 (of the \$1,600 which your Company paid) for the Unit No. 2 extension and refunding the duplicate Class I fee of \$400. Refunds are generally made within a two-week period.

Sincerely,

Signed, G. James Holloway, Jr.

for

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

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