

# EDISON ELECTRIC INSTITUTE

The association of electric companies

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November 24, 1982

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USNRC

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

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

DOCKET NUMBER  
PROPOSED RULE

7  
PR-2  
47 FR 47260

Attention: Docketing and Service Branch:

Subject: Commission Review Procedures for Power Reactor  
Construction Permits; Immediate Effectiveness Rule  
(47 FR 47260, October 25, 1982)

Dear Mr. Chilk:

The Edison Electric Institute (EEI) offers the following comments on the Commission's proposed changes to 10 CFR Part 2. EEI is the association of the nation's investor-owned electric utilities. Its members serve 99.6 percent of all ultimate customers served by the investor-owned segment of the industry, and generate more than 77 percent of all of the electricity in the country. EEI's members currently operate 70 of the nation's nuclear power plants licensed to operate by the NRC, and expect to operate an additional 51 units now under construction or in planning.

EEI urges the Commission to adopt the proposed changes to the immediate effectiveness rule for construction permit review. In our May 4, 1981 comments on your proposed modification to the immediate effectiveness rule for operating license issuance (46 FR 20215), we noted that "[b]y the time of the 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 subjected to examination in the public hearing process." An extensive review similarly occurs for construction permit applications. The Commission did adopt modifications to the immediate effectiveness rule for operating licenses, and it is appropriate to conform the effectiveness review procedures for construction permits and construction authorizations with those now in effect for operating licenses.

The cost impact of delays in the initiation of construction of nuclear power reactors is real. Adoption of the proposed rule will have a positive effect in helping to minimize the impact of potential delays in the licensing of future plants.

Sincerely yours,

*John J. Kearney*  
John J. Kearney

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JJK:jam Acknowledged by card... 11/30/82 exp