

Washington Public Power Supply System

P.O. Box 968 3000 George Washington Way Richland, Washington 99352 (509) 372-5000

August 16, 1984
G01-84-0218

Mr. William I. Miller, Chief
License Fee Management Branch
Office of Administration
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Fee for Review of WNP-4
Operating License Application

Dear Mr. Miller:

On June 13, 1984, the Supply System responded to your May 29, 1984 letter concerning the license review fee for WNP-4. In that response, the Supply System stated that the costs associated with WNP-4 may be paid only from revenues associated with the project and that the revenues remaining available for satisfaction of obligations incurred for WNP-4 are being administered by Chemical Bank as Trustee. The Supply System further advised you that it was submitting the license fee invoice to the Trustee in order to attempt to secure payment.

The Trustee has advised the Supply System that it is not reasonable to expect the Trustee to satisfy this obligation. The only obligations the Trustee will satisfy are those that produce current benefits for the project. Payment of the license fee incurred in connection with the WNP-4 operating license review does not, in the opinion of the Trustee, constitute an obligation that will produce such benefits for the project. As a result, there are no funds available that the Supply System may use lawfully to satisfy this obligation.

In light of these developments, the Supply System requests that the NRC consider its inability to satisfy the license fee debt as excusable within the meaning of 10 CFR § 15.29 and §170.41 and 4 CFR § 102.8 and that no enforcement action be taken.

We will keep you advised of further developments.

Sincerely,

G. C. Sorensen
G. C. Sorensen, Manager
Regulatory Programs

50-513

ljk

cc: N. S. Reynolds, Esq.
Bishop, Liberman, Cook,
Purcell & Reynolds

MOOS
/u

8408210431 840816
PDR ADOCK 05000513
A PDR

FROM: Washington Public Power Supply System P.O. Box 968, Richland, Wash. 99352 (Mr. G. C. Sorensen)		DATE OF DOCUMENT 8/16/84	DATE RECEIVED 8/20/84	NO.: LFMB-84-132
TO: William O. Miller		LTR. <input checked="" type="checkbox"/>	MEMO. <input type="checkbox"/>	REPORT. <input type="checkbox"/>
		ORIG. <input checked="" type="checkbox"/>	CC. <input type="checkbox"/>	OTHER. <input type="checkbox"/>
		ACTION NECESSARY <input checked="" type="checkbox"/>	CONCURRENCE <input type="checkbox"/>	DATE ANSWERED: <input type="checkbox"/>
		NO ACTION NECESSARY <input type="checkbox"/>	COMMENT <input type="checkbox"/>	BY: <input type="checkbox"/>
CLASSIF. U	POST OFFICE REG. NO.	FILE CODE: 50-513		
DESCRIPTION: (Must Be Unclassified) Ltr. advising of Supply System's inability to pay WNP-4 operating li- cense review costs and requesting NRC to consider its inability to		REFERRED TO	DATE	RECEIVED BY
ENCLOSURES satisfy the license fee debt as excusable within the meaning of 10 CFR 15.29 & 170.41, etc., and that no enforcement action be taken.		R. Diggs w/cy f/action	8/20	
		Jim McKnight w/original for processing under 50-513.	8/20	
REMARKS Copies to: WOMiller, CJHollaway,		MRodriguez, RM/A RFonner, DELO	PNorry, ADM LFMB Reactor File & Actual M/P File	MSpringer, ADM