



GULF STATES UTILITIES COMPANY

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January 10, 1986

RBG-22976

File G9.5

Mr. C. James Holloway, Jr.
Director
License Fee Management Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

U.S. N.R.C.
LICENSE FEE MGMT. BRANCH

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Dear Mr. Holloway:

River Bend Station - Units 1 & 2
Docket Nos. 50-458 and 50-459

We have received the material which you sent us in support of Invoice No. E0188 dated December 13, 1985 and Mr. William O. Miller's letter of December 12, 1985, relating to a proposed license fee of \$278,860.00 associated with the withdrawn operating license application for River Bend Unit 2. Our preliminary review of the material sent us does not allow us to conclude that the amount billed was appropriately attributable to work expended on the Applicant's behalf for the review of River Bend Unit 2. We believe that work attributable to both Units should be assigned to the surviving Unit for fee purposes.

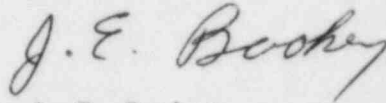
While the application was formally withdrawn on July 2, 1984 in fact, the River Bend Station was being proposed and reviewed as a single unit site for some time prior to that time. This is reflected, for example, in the NRC's Draft and Final Environmental Impact Statements which are limited to consideration of Unit 1. Therefore, any mechanism which arbitrarily divides review time between the units after notification of the withdrawal of the unit is impermissible under the regulations and governing statutes. Work specifically shown as applicable to Unit 2 after the NRC was notified of the cancellation of the unit on January 6, 1984, must be specially justified.

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Under the circumstances, we are not paying the invoice until the fees attributable to River Bend Unit 2 are separated and defined. It is also our position that until this is resolved, interest charges should not be accrued. Upon resolution new invoices should be issued and interest then charged in relation to these invoices.

Sincerely,



J. E. Booker
Manager-Engineering,
Nuclear Fuels & Licensing
River Bend Nuclear Group

JEB/~~WLR~~^{WLR}/GMK/NIP/kt