



Commonwealth Edison
 One First National Plaza, Chicago, Illinois
 Address Reply to: Post Office Box 767
 Chicago, Illinois 60690

December 23, 1985

Controller
 U.S. Nuclear Regulatory Commission
 1717 H Street N.W.
 Washington, D.C. 20555

Subject: Request for Extension
 Byron Station Unit 2
 Operating License Review
 Bill No. E0123

Dear Sir:

Commonwealth Edison is hereby requesting, pursuant to 10 CFR 25.31, a due date extension on a portion of Bill No. E0123. The portion of the bill we are questioning is the \$15,150 fee which is associated with a NRC contract which was closed out in 1982. As you know Commonwealth Edison has filed a complaint in the United States Court of Appeals for the Seventh Circuit challenging the use of the ceilings contained in 10 CFR Part 170 (1984) for services rendered prior to the effective date of the regulation. If we prevail in this case, we will have already paid the maximum fee assessable for NRC review time expended prior to June 20, 1984 on Byron Unit 2's operating license application.

We are therefore requesting an extension until the court has made a final determination in the case.

Sincerely,

Greg Alexander
 Nuclear Licensing Administrator

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Attachment

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DEC 05 REC'D

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555



NOV 29 1985

Docket No. 50-455

Commonwealth Edison Company
ATTN: Mr. Dennis L. Farrar
P.O. Box 767
Chicago, Illinois 60690

Gentlemen:

As you are aware, 10 CFR 170 of the Commission's regulations for license and inspection fees was revised effective June 20, 1984. Section 170.12(b) of the revised rule provides that for applications for permits, licenses, facility reference design approvals, and special projects which have been on file with the Commission for review for six months or longer, billings would be made at six-month intervals or when the review is completed, whichever is earlier.

Consistent with the requirements of 10 CFR 170.12(b), we have completed the cost analysis for the Byron 2 OL application review for the period June 24, 1984 through December 22, 1984. The cost through that period is \$116,614.

Enclosure 1 shows the breakdown of the review costs by major program office. Based on a reexamination of the costs from the previous billing period by the Office of Nuclear Reactor Regulation, contract costs of \$15,150 has been added to the costs of Byron 2. These costs were omitted from the previous billing data (Enclosure 2). The revised total for Byron 2 for this billing period is \$131,764. The Office of Resource Management has been notified to bill your Company for this amount. When making payment, please make reference to the bill number.

Sincerely,

for *William O. Miller*
William O. Miller, Director
License Fee Management Staff
Office of Administration

Enclosures
As stated

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