

AUG 24 1988

Docket Nos. 50-461/462

Illinois Power Company
ATTN: Mr. Don D. Hall
Vice President
500 South 27th Street
Decatur, IL 62525

Gentlemen:

On January 25, 1985, the NRC billed (D0162) Illinois Power Company (IPC) for a sum of \$2,754,095 for the review of the application for operating license (OL) for Clinton 1 through June 23, 1984. By letter dated March 22, 1985, IPC paid the bill and requested supporting documentation for the bill. This documentation was provided by our letter dated August 6, 1985. Our August 6 letter informed you that for the billed period there were contractual costs which were not included in Invoice D0162 for Unit 1 nor in Invoice A0178 dated April 9, 1982, in the amount of \$22,086 for review of Clinton 2 through the time you requested (by letter dated October 30, 1981) NRC to postpone OL review of Unit 2. We stated that we would inform you of these costs once they were resolved.

The purpose of this letter is to inform you of the final costs for the OL review for Clinton 1, including unbilled contractual costs; the remaining amount now due to be paid to NRC for Clinton 1 and to give credit for the \$22,086 paid for the OL review of Clinton 2 before it was postponed. Consistent with our August 6, 1985 letter, we have reexamined the contractual costs for Clinton 1 and 2 for the review period that ended June 23, 1984 and October 30, 1981, respectively. This reexamination has revealed that the following NRR contractual costs totalling \$255,430 are applicable to Clinton 1:

<u>Contract</u>	<u>Amount</u>
FINs A0422, A1301 and A1308	\$ 22,100
FIN A3389	29,100
NRC 03-81-103	3,230
FIN B5190	1,000
FIN A2118	<u>200,000</u>
Total	\$255,430

In addition to the above unbilled \$255,430, we have now completed our computation of the OL review cost for Clinton 1 from June 24, 1984,

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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AUG 24 1988

through issuance of the 100% OL on April 17, 1987. The review cost for this period is \$3,708,552. Summaries of each six-month's costs by review offices are enclosed. When this cost is added to the \$255,430 that remains to be billed for the review period that ended June 23, 1984, the additional unbilled OL review cost for Clinton 1 is \$3,963,982. This makes the total review cost for Clinton 1 a sum of \$6,718,077 (\$3,963,982 and \$2,754,095). The maximum chargeable under 10 CFR 170 for an OL is \$3,077,400. Since IPC has paid \$2,754,095 for the Clinton 1 OL review, a balance of \$323,305 is chargeable to IPC.

On July 19, 1982, the First Circuit Court of Appeals decided the New England Power v. NRC Case No. 81-1839 concerning the assessment of fees for withdrawn applications. The Court held that applicants may not be billed for the cost of reviewing applications where the request for withdrawal was filed with the Commission before November 6, 1981, the effective date of the Commission's interpretative rule concerning this matter. As a result of that Court decision and since the Clinton 2 operating license application review was deferred indefinitely prior to November 6, 1981, a refund of \$22,086 is due to your Company for review costs billed on Invoice No. A0178 dated April 9, 1982. We have deducted the \$22,086 credit due for Clinton 2 from the \$323,305 due for the Clinton 1 OL review leaving a balance due of \$301,219.

Based on the above, enclosed is an invoice for \$301,219 which is the remaining sum due for the Clinton 1 OL review. Payment of this amount will complete the fees due on Clinton 1 and close the fee records on Clinton 2. When making payment, please make reference to the invoice number.

Signed by
C. James Holloway, Jr.

C. James Holloway, Jr., Chief
License Fee Management Branch
Division of Accounting and Finance
Office of Administration and
Resources Management

Enclosures:

1. Summary of Costs by
NRC Review Offices (6)
2. Invoice No. G1368 for \$301,219

AUG 24 1988

Distribution w/encl. 1:

PCR

LPDR

Regulatory Docket Files (2)

LFMB Clinton Reactor Files (2) w/encls. 1 & 2

LFMB A/M for Clinton 1 w/encls. 1 & 2

GJohnson, DAF

MRodriguez, DAF w/encl. 2

RVillafranco, NRR, PMSB

JStevens, NRR, PD32

CJHolloway, LFMB

RMDiggs, LFMB, w/encls. 1 & 2

LTremper, LFMB, w/encls. 1 & 2

LFMB R/F (2)

ARM/DAF R/F

DW/RMD2/50-461/462

OFFICE : ARM/DAF
SURNAME: RMDiggs:ab
: 8/24/88

ARM/DAF
CJHolloway
8/24/88