

Docket No. 50-322

MAY 12 1989

Long Island Lighting Company
ATTN: Mr. John D. Leonard
Vice President, Nuclear Operations
P.O. Box 618
North Country Road
Wading River, NY 11792

Gentlemen:

By letter dated November 18, 1988 (SNRC-1517), your Company requested an exemption from the annual fee requirements of 10 CFR 171 for that part of FY 1989 during which the Shoreham Nuclear Power Station (SNPS) remained limited to 5% of its rated thermal power. You state that the bases remain the same as in your requests for exemptions for FYs 1987 and 1988 in that you are still unable to produce marketable electric power because of the 5% license limitation.

We have completed our review of your request and have taken into consideration the fact that a full power operating license was issued for the SNPS on April 21, 1989. Based on the circumstances of the case which placed limitations on plant operation prior to April 21, 1989, we have determined that an exemption from annual fees for a portion of FY 1989 is appropriate. Therefore, pursuant to the provisions of 10 CFR 171.11, an exemption is hereby granted for the Shoreham Nuclear Power Station for the period from October 1, 1988, through April 21, 1989.

Since the SNPS received a full power license on April 21, 1989, enclosed is a prorated invoice for \$235,002 for a portion of the third quarter of FY 1989 covering the period from April 22 through June 30, 1989. Invoices for the fourth quarter payment on annual fees will not be issued until approximately June 30, 1989.

If further information is desired, contact C. James Holloway, Jr., on 301-492-7225.

Sincerely,

8905230152 890512
PDR ADOCK 0500322
P PNU

Original signed by
Victor Stello, Jr.

Victor Stello, Jr.
Executive Director for Operations

Enclosure:
Invoice No. H0968 for \$235,002

DF01
11

OFFICE	:OC/LFMB	: OGC	:OC/DAF	:OC/DAF	: EDO	:	:
SURNAME	:RMDiggs:ab	:Rfonner	:EBlack	:LHiller	:RStello	:	:
DATE	:5/2/89	:5/1/89	:5/5/89	:5/1/89	:5/12/89	:	:

MAY 12 1989

DISTRIBUTION w/o encl.:

PDR

LPDR

Reg Docket Files - w/encl.

VStello, EDO

RMScroggins

LHiller

RFonner, OGC

GJohnson

SBrown, PD1-2

PO'Brien, PD1-2

CJHolloway, LFMB

KMDiggs, LFMB (2) - w/encl.

MRodriguez, DAF - w/encl.

LTremper, LFMB - w/encl.

LFMB Reactor File - w/encl.

LFMB 171 File - w/encl.

LFMB R/F (2)

OC/DAF R/F

DW/JP/Doc.No. 50-322

OC R/F

EDO R/F

INVOICE

H0968

MAKE CHECKS PAYABLE TO THE U.S. NUCLEAR REGULATORY COMMISSION, REFERENCE THE INVOICE NUMBER ON REMITTANCE, AND
MAIL TO:U.S. NUCLEAR REGULATORY COMMISSION
OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT
DIVISION OF ACCOUNTING AND FINANCE
WASHINGTON, DC 20555

INVOICE DATE

MAY 12 1989

LICENSE NUMBER (If applicable)

NPF-82

REFERENCE NUMBER (If applicable)

Doc.No. 50-322

CONTACT:

NAME

Janet M. Rodriguez

TELEPHONE

AREA
CODE
301NUMBER
492-4200

TO:

Long Island Lighting Company
ATTN: Mr. John D. Leonard
Vice President, Nuclear Operations
P.O. Box 618
North Country Road
Wading River, NY 11792

DESCRIPTION

AMOUNT

This invoice is for annual fees that are in the third quarter installment for Fiscal Year 1989 in accordance with 10 CFR 171 for the Shoreham Nuclear Power Station. The invoice is pro-rated and covers the period of April 22, 1989 through June 30, 1989. The amount due is \$235,002 based on cost per day times days remaining in FY from 4/21/89 - 9/30/89 less fourth quarter amount of \$303,000. It is based on the following annual fee amount:

\$1,219,000 (All Plants)
98,000 (All BWRs)
70,000 (All Mark II's)
42,000 (All Mark II's & Mark III's)
14,000 (East Of Rockies)

\$1,443,000 (Budget Base)
x. 84 (M Factor)

\$1,212,000 (Annual Fee)

\$235,002

FACILITY REVENUE CODE: AA903 ANN

AMOUNT DUE
(See Terms)

\$235,002

TERMS. Interest will accrue from the invoice date at the annual rate of 7%. Payment is due immediately. However, interest will be waived if payment is received within 30 days from the invoice date. Penalty and administrative charges will be assessed on a delinquent invoice. Additional terms and conditions are attached, if applicable.

NOTE. If there are any questions about the existence or amount of the debt, contact the individual named above. For NRC debt collection procedures, including interest and penalty provisions, see 31 U.S.C. 3717, 4 CFR 101-105, and 10 CFR 15.

U.S. NUCLEAR REGULATORY COMMISSION

ANNUAL FEE INVOICE - TERMS AND CONDITIONS

Refund. The U.S. Nuclear Regulatory Commission (NRC) will refund any overpayment in accordance with 10 CFR 171.21, to include any interest paid by the licensee on such amount. NRC may not pay interest on the principal amount of the annual fee which was paid to NRC and is later refunded.

Penalty and Administrative Costs. A penalty charge will be assessed on any portion of a debt that is delinquent for more than 90 days at the annual rate of 6 percent (4 CFR 102.13(e)). This charge shall be calculated on or after the 91st day of delinquency, but shall accrue from the date that the debt became delinquent. For this purpose, a debt is "delinquent" if it has not been paid by the invoice date. An administrative charge will be assessed against a debt that remains delinquent for over 30 days; such assessment shall be based on the actual additional costs incurred in processing and handling the delinquent debt, but not less than \$10.00 per month.

Other Consequences for Failure to Pay on a Timely Basis.

- a) If a quarterly installment of the annual fee is not received within 30 days from the invoice date, the balance of the annual fee becomes due and payable, with interest and penalties calculated from the invoice date (10 CFR 171.25).
- b) If the annual fee is not paid when due, the Commission may refuse to process any application submitted by or on behalf of the person with respect to any license issued to the person, and may suspend or revoke any licenses held by the person (10 CFR 171.23). The suspension or revocation of a license does not waive or affect any debt due from a licensee.

Application for Exemption from the Annual Fee Pursuant to 10 CFR 171.11.

- a) The NRC will not extend the 30-day-interest-waiver period because of the submission of an application for exemption from the annual fee pursuant to 10 CFR 171.11.
- b) If the NRC grants an exemption, the NRC will make an adjustment upon invoicing the balance of the annual fee and will make a refund only to the extent that the annual fee payment(s) received from the licensee exceed the adjusted annual fee.



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

OCT 01 1988

PROCEDURES FOR ELECTRONIC FUNDS TRANSFER

The U.S. Nuclear Regulatory Commission (NRC) has been informed by the U.S. Department of the Treasury (Treasury) that effective October 1, 1988, changes will affect our ability to receive funds through Fedwire Deposit System (FDS). The basic FDS wire message format will be changed to comply with the Federal Reserve Board's decision to implement a standard structured third party format for all Electronic Funds Transfer (EFT) messages. A sample of an EFT message to Treasury and a narrative description of each field follows:

(1)
021030004: (2)
(3) (4) (5)
(6) /
(7) (8)
TREAS NYC/CTR/
(9)
\$NF=/AC--3160001 061=
(10)

Field	Content
1	RECEIVER-DFI# - The Treasury Department's ABA number for deposit messages is 021030004.
2	TYPE-SUBTYPE-CD - The type and subtype code will be provided by the sending bank.
3	SENDER-DFI# - This number will be provided by the sending bank.
4	SENDER-REF# - The sixteen character references number is inserted by the sending bank at its option.
5	AMOUNT - The transfer amount must be punctuated with commas and decimal point; use of the "\$" is optional. This item will be provided by the depositor.
6	SENDER-DFI-NAME - This information is automatically inserted by the Federal Reserve Bank.

- 7 RECEIVER-DFI-NAME - The Treasury Department's name for deposit messages is "TREAS NYC". This name should be entered by the sending bank.
- 8 PRODUCT CODE - A product code of "CTR" for customer transfer should be the first data in the RECEIVER - TEXT field. Other values may be entered, if appropriate, using the ABA's options. A slash must be entered after the product code.
- 9 AGENCY LOCATION CODE - THIS ITEM IS OF CRITICAL IMPORTANCE. IT MUST APPEAR ON THE FUNDS TRANSFER DEPOSIT MESSAGE IN THE PRECISE MANNER AS STATED TO ALLOW FOR THE AUTOMATED PROCESSING AND CLASSIFICATION OF THE FUNDS TRANSFER MESSAGE TO THE AGENCY LOCATION CODE OF THE APPROPRIATE AGENCY. The ALC identification sequence can, if necessary begin on one line and end on the next line; however, the field tag "BNF=" must be on one line and cannot contain any spaces. NRC's 8-digit ALC is:

BNF=/AC-31000001

THIRD PARTY INFORMATION - The Originator to Beneficiary Information field tag "OBI=" is used to signify the beginning of the free-form third party text. All other identifying information to enable the NRC to identify the deposit, e.g., NRC invoice number, description of fee - 10 CFR 171 annual fee, and plant name.

The optimum format for fields 7, 8, 9, and 10 using an 8-digit ALC is as follows:

TREAS NYC/CTR/BNF=/AC-31000001 OBI=

The optimum format, shown above, will allow 219 character positions of information following the "OBI=" indicator.

If the licensee's bank is not a member of the Federal Reserve System, the non-member bank must transfer the necessary information and funds to a member bank who then must transfer the information and funds to the local Federal Reserve Bank.

For transfer of funds from local Federal Reserve Banks to be recorded on the same day, the transfer must be received at the New York Federal Bank by 4 p.m., EST. Otherwise, the deposit will be recorded on the next working day.

If there are any questions, contact NRC Financial Operations Branch, Division of Accounting and Finance, tel: (301) 492-4200).

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LONG ISLAND LIGHTING COMPANY

SHOREHAM NUCLEAR POWER STATION

P.O. BOX 618, NORTH COUNTRY ROAD • WADING RIVER, N.Y. 11792

JOHN D. LEONARD, JR.
VICE PRESIDENT - NUCLEAR OPERATIONS

NOV 18 1988

SNRC-1517

Mr. Victor Stello, Jr.
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Extension of Exemption From Payment Of The
Annual License Fee Under 10 CFR 171 For The
Shoreham Nuclear Power Station
Operating License NPF-36
Shoreham Nuclear Power Station - Unit 1
Docket No. 50-322

Dear Mr. Stello:

Currently, the operation of the Shoreham Nuclear Power Station is still restricted to no more than 5% of its rated thermal power. The Long Island Lighting Company ("LILCO") therefore requests, in accordance with the provisions of 10 CFR 171.11, that its exemption from payment of the annual fee under 10 CFR 171 again be extended to that part of Fiscal 1989 during which this condition prevails.

Conditions remain as we cited in our previous exemption requests; while LILCO has held an operating license for Shoreham since December 1984, the plant cannot produce marketable electric power because of the 5% thermal power restriction. Thus far, LILCO's inability to obtain a license to operate Shoreham above 5% is due solely to the refusal of the state and local governments to participate in emergency planning. This opposition continues. Until the licensing impasse is resolved or other decisions are made concerning the plant, the high cost of carrying the plant remains.

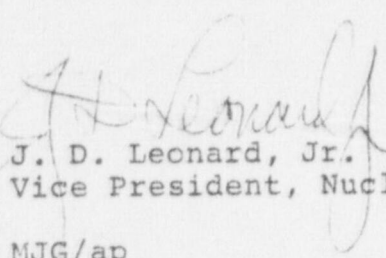
In short, the status of the Shoreham Station remains substantially unchanged from that described in our previous exemption requests (SNRC-1288 of November 7, 1986 and SNRC-1359 of August 14, 1987). Although recent licensing developments are

~~88-12200294~~ 2 pp.

favorable in that they may lead to the issuance of an operating license permitting the plant to exceed the 5% limit, the future remains uncertain. Thus, operation above 5% may not be achieved for some time.

If Shoreham is licensed to operate above the 5% limit during Fiscal Year 1989 and the power level is in fact raised, LILCO understands that as in the previous years, the requested fee exemption would be lifted and the payment thereof would be prorated through the remainder of the year and would be payable in full thereafter.

Should you wish to discuss this request or any other matters relating to the Shoreham plant, please contact me or other authorized members of my staff.



J. D. Leonard, Jr.
Vice President, Nuclear Operations

MJG/ap

cc: S. Brown
F. Crescenzo
W. Russell
Document Control Desk