



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

SEP 13 1985

Docket No. 50-401

Carolina Power & Light Company
ATTN: Mr. L. W. Eury
Executive Vice President
Power Supply and Engineering
and Construction
P.O. Box 1551
Raleigh, NC 27602

Gentlemen:

By letter dated May 10, 1985, Mr. S. R. Zimmerman, Manager, Nuclear Licensing Section, of your Company remitted \$294,877 for the review costs for the period through June 23, 1984, for the Shearon Harris Nuclear Plant Unit No. 2 and expressed concern about the NRC's charging fees after December 21, 1983, the date Carolina Power and Light Company notified both the Office of Nuclear Reactor Regulation (NRR) and the Atomic Safety and Licensing Board Panel (ASLBP) of its' decision to cancel Harris No. 2.

Our review of your concern determined that the operating license review costs for Harris 2 should include professional staff-hours and contractual costs expended from the date the construction permit was issued through November 15, 1985, the date the ASLBP issued an Order authorizing withdrawal of the application and terminating the proceeding. This determination is consistent with past Commission policy of billing for withdrawn applications up to the date of the ASLBP Order which terminates the proceeding as the completion date for the review.

The Commission's legal staff has reviewed the November 15, 1985 Order and opined that the Board does not have jurisdiction over the issue of fees. The ASLBP only has jurisdiction and authority which the Commission delegates to it. Specifically, its' jurisdiction is limited to a determination of findings of fact and conclusions of law, on matters put into controversy by the parties to the proceeding, or found by the Board to involve a serious safety, environmental or common defense and security question.

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Based on the above, we have therefore enclosed Invoice No. H1536 in the amount of \$32,606 for the period June 24, 1984 through November 15, 1985. Attached are summaries of the professional staff hours and contractual costs by review office broken down into three six-month billing cycles.

We apologize for the long delay in responding to your concern.

Sincerely,

(signed) Diane B. Dandois

Diane B. Dandois, Chief
License Fee and Debt Collection Branch
Division of Accounting and Finance
Office of the Controller

Enclosure:

Invoice for Harris 2 w/3 data sheets

DISTRIBUTION w/encls.:

PDR

Reg Files

RSmith, OGC

CJHolloway, OC

LTremper, LFDCB

DWeiss, LFDCB

DDandois, LFDCB

MRodriguez, LFDCB

LFDCB Reactor File

LFDCB A/MP File

LFDCB R/F (2)

OC R/F

DW/JP/Carolina

G Johnson

K BLACK

OFFICE :OC/LFDCB : OC/LFDCB :OGC :OC/LFDCB : :

SURNAME :LTremper:ab: DWeiss :RSmith :DDandois : :

DATE :9/6/89 : 9/11/89 :9/18/89 :9/18/89 : :

9-11-89

INVOICE

H1536

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

SEP 18 1989

LICENSE NUMBER (if applicable)

Docket No. 50-401

REFERENCE NUMBER (if applicable)

CONTACT:

NAME

Janet M. Rodriguez

TELEPHONE

AREA
CODE
301NUMBER
492-4200

TO:

Carolina Power & Light Company
ATTN: Mr. L. W. Eury
Executive Vice President
Power Supply and Engineering
and Construction
P.O. Box 1551
Raleigh, NC 27602

DESCRIPTION

AMOUNT

This bill is for review of Part 50 applications for reactor license amendments, exemptions, reliefs and other approvals for the six-month period from June 24, 1984 through November 15, 1985.

Shearon Harris Nuclear Power Plant Unit No. 2

Cost from 6/24/84 through 12/22/84	\$11,900
Costs from 12/23/84 through 6/22/85	19,845
Cost from 6/23/85 through 11/15/85	<u>861</u>

Cumulative costs from 6/24/84 through 11/15/85	\$32,606
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Recap of OL review costs through 11/15/85:

Costs through 6/23/84	\$294,877
Costs from 6/24/84 through 11/15/85	<u>32,606</u>

Total cumulative costs for OL review	\$327,483
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FACILITY REVENUE CODE: AA903 AMD

AMOUNT DUE
(See Terms)

\$32,606

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.

Operating License Review Costs from 6/24/84 through 12/22/84

FACILITY: Harris 2

DOCKET NO: 50- 401

<u>Program Office Review</u>	<u>Costs for Professional Staff-Hour</u>	<u>Professional Staff-Hours Expended</u>	<u>Staff-Hour Costs</u>	<u>Contractual Costs</u>	<u>Total Costs</u>
1. NRR	\$62	--	--	\$11,900	\$11,900
2. IE-HQ	53	--	--	--	--
3. REGIONS	53	--	--	--	--
4. ACRS	62	--	--	--	--
5. NMSS	58	--	--	--	--
TOTAL COST					\$11,900

Operating License Review Costs from 12/23/84 through 6/22/85

FACILITY: Harris 2

DOCKET NO: 50- 401

<u>Program Office Review</u>	<u>Costs for Professional Staff-Hour</u>	<u>Professional Staff-Hours Expended</u>	<u>Staff-Hour Costs</u>	<u>Contractual Costs</u>	<u>Total Costs</u>
1. NRR	\$62	--	--	\$18,467	\$18,467
2. IE-HQ	53	--	--	--	--
3. REGIONS	53	26	\$1,378	--	1,378
4. ACRS	62	--	--	--	--
5. NMSS	58	--	--	--	--
TOTAL COST					\$19,845

Operating License Review Costs from 6/23/85 through 11/15/85

FACILITY: Harris 2

DOCKET NO: 50- 401

<u>Program Office Review</u>	<u>Costs for Professional Staff-Hour</u>	<u>Professional Staff-Hours Expended</u>	<u>Staff-Hour Costs</u>	<u>Contractual Costs</u>	<u>Total Costs</u>
1. NRR	\$62	--	--	\$ 861	\$ 861
2. IE-HQ	53	--	--	--	--
3. REGIONS	53	--	--	--	--
4. ACRS	62	--	--	--	--
5. NMSS	58	--	--	--	--
TOTAL COST					\$ 861

INVOICE
DW/JP/CPLC
LTremper:1b:9/5/89

Leah
DW/jp/Carolina
9/5/89:ab