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PROPOSED RULES 170+171  
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April 28, 2003

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OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Secretary  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
ATTN: Rulemakings and Adjudications Staff

Subject: Comments on Proposed Revisions to 10 CFR Parts 170 and 171 on License, Inspection and Annual Fees for FY 2003

In the Federal Register dated April 3, 2003, the Nuclear Regulatory Commission published a proposed rule that would change 10 CFR 170 and 171 regarding license, inspection and annual fees charged to licensees. Duke Energy Corporation has reviewed this proposed rule and endorses the positions taken by Nuclear Energy Institute. We are submitting the following comment on the proposed rule.

Duke is of the opinion that there is insufficient basis to support the required costs to the power reactor licensees for activities not directly attributable or beneficial to their operation. We think that utilities should be responsible for fees directly associated with agency expenditures on power reactor regulation. Cost allocations should be justified and equitably proportioned.

Very truly yours,

*M. S. Tuckman*

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