

Delmarva Power & Light Company
800 King Street • P.O. Box 231
Wilmington, DE 19899
(302) 429-3757

Dale G. Stoodley
General Counsel

**Delmarva
Power**

April 16, 1982

Mr. William O. Miller, Chief
License Fee Management Branch
Office of Administration
Nuclear Regulatory Commission
Washington, D. C. 20555



Dear Mr. Miller:

On March 30, 1982 you wrote to Mr. William Price, Senior Vice President at Delmarva Power & Light Company advising him that the Nuclear Regulatory Commission intended recovering NRC review costs of \$968,037 associated with the Summit case pursuant to Commission practice of recovering such costs "using the procedures of Footnote 3 to 10 CFR 170.21 when review of the project is complete."

As you are aware, the regulations under which the Commission has been endeavoring to recover project review costs when a project is abandoned is the subject of a Petition for Review filed in the United States Court of Appeals for the First Circuit by a group of utilities including Delmarva Power & Light Company.

In light of the current legal status of this matter, Delmarva Power & Light Company declines payment of the assessed costs.

Sincerely yours,

Dale G. Stoodley
Dale G. Stoodley

DGS/nas

cc: F. A. Cook
H. E. Cosgrove
G. Charnoff, Esq.
D. P. Irwin, Esq.

RECEIVED BY LFMB	
Date	4/20/82
Log	R.M.
By	V.M.S.
Orig. To	
Action Compl.	

MOOG
5/11

8204230317
A

FROM Delmarva Power & Light Company Wilmington, DE 19899		DATE OF DOCUMENT 4-16-82	DATE RECEIVED 4-20-82	NO LFMB-13-82
		LTR X	MEMO	REPORT OTHER
TO William O. Miller, Chief License Fee Management Branch, ADM		ORIG X	CC	OTHER
		ACTION NECESSARY <input type="checkbox"/>	CONCURRENCE <input type="checkbox"/>	DATE ANSWERED
		NO ACTION NECESSARY <input checked="" type="checkbox"/>	COMMENT <input type="checkbox"/>	BY:
CLASSIF Unclassified	POST OFFICE REG NO	FILE CODE: Docket Nos. 50-450/451		
DESCRIPTION (Must Be Unclassified)		REFERRED TO	DATE	RECEIVED BY DATE
Ltr. declining payment of fees for Summit 1/2 review costs siting petition currently on file with U.S. Court of Appeals, First Circuit.		C. J. Holloway	4-21	
		w/copy for infor.		
ENCLOSURES None		Mike Collins ✓	4-21	
		w/original for processing under M008 distribution.		
REMARKS Copies also sent to: Kerry Kohler Reba Diggs Marnella Rodriguez, CON LFMB Manpower File				

U. S. NUCLEAR REGULATORY COMMISSION

MAIL CONTROL FORM

FORM NRC-326
(1-75)