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December 9, 1983
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Mr. Harold Denton, Director
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Denton:

SUBJECT: Three Mile Island Nuclear Station Unit 1 (TMI-1)
Operating License No. DPR-50
Docket No. 50-289

At the December 5, 1983 meeting with the NRC Commissioners, Commissioner Roberts asked if the proposed operation at 25% power would allow the return of TMI-1 to the rate base. Following the meeting you requested that I provide information that would clarify this matter.

Both the New Jersey Board of Public Utilities and the Pennsylvania Public Utilities Commission orders contain the same power level requirements for return of TMI-1 to the rate base; that is,

"The plant has begun to produce electric energy for the system and achieves and maintains a capacity factor of 35% for at least 100 consecutive hours."

Therefore, the answer to Commissioner Roberts's question is that operation at 25% power would not permit the return of TMI-1 to the rate base under the existing rate orders.

Very truly yours,

P. R. Clark
President

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