



March 21, 2025

Submitted Electronically Via Regulations.Gov
Nuclear Regulatory Commission
10 CFR Parts 170 and 171
[NRC-2023-0069]
RIN 3150-AK95

RE: NASEO Response to Nuclear Regulatory Commission on Fee Schedules; Fee Recovery for Fiscal Year 2025

The National Association of State Energy Officials (NASEO) is pleased to submit these comments in response to the Nuclear Regulatory Commission’s proposed rule for fees for fiscal year 2025 [NRC-2023-0069]. NASEO represents the 56 governor-designated State and Territory Energy Directors and their offices across the country. The State Energy Offices work on a wide range of energy policy and planning actions for their governors and legislatures, such as supporting the development of energy resources and innovative technologies to lower energy costs; streamlining grid planning to more rapidly and cost effectively add power to the grid and expand transmission where necessary; and preparing for and responding to energy emergencies – grid and fuels – resulting from natural disasters, cybersecurity incidents, and physical threats to the energy system.

NASEO supports State Energy Offices in identifying pathways to accelerate advanced nuclear projects by reducing financial and technology risks; devising supportive market adoption policies; defining supply chain needs; developing coordinated procurement options; identifying opportunities for early site permits; and creating public-private partnerships. State Energy Offices partner with the private sector to identify priority end uses and applications for advanced nuclear projects across the nation and determine appropriate financing mechanisms to support projects.

Overall, NASEO is supportive of the proposed reduced rates for advanced nuclear reactor projects as it will provide more financial and regulatory certainty to states and the private sector. The current rate level has been hindering project development and market adoption. NASEO offers the following recommendations and considerations:

- It is important to clarify how advanced reactors are defined under the new fee structure. For example, the proposed rule relies on a definition that may exclude some Gen III+ reactors based on conventional technology.

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- A significant challenge for the development of small modular reactors (SMRs) relates to the licensing costs. Since NRC licensing costs are flat regardless of the size of the unit being licensed, on a per megawatt basis SMRs end up having a larger percentage of overall costs going towards licensing fees. NASEO encourages the NRC to scale its fee structure so as not to disincentivize or add additional costs for SMRs.
- Safety should be kept front and center, and the NRC should ensure that clarification is provided on how potential fee reductions may impact the quality of the NRC's licensing safety review for SMRs and other new reactors.
- Since the proposed fee reduction only pertains to licensing activities, fees for permits or other authorizations (such as Early Site Permits) will not be reduced. NASEO encourages the NRC to consider expanding the applicability of the fee reductions to also include these activities. Because of the high costs associated with Early Site Permits, a reduction in fees would allow more states to pursue these critical permitting activities earlier and faster. NASEO also encourages the NRC to consider incentivizing early mover states with no existing nuclear reactors by having a first-time fee exclusion for application reviews and pre-application activities for the first site in the state or a discount on fees for batching applications for multiple sites within a state.
- NRC should engage interested State Energy Offices and NASEO throughout this process to better understand some of the financial barriers and how a reduction in fees can accelerate development of these innovative advanced nuclear technologies.

Thank you for the opportunity to comment.

Best regards,



David Terry, President, NASEO