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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'99 APR 21 P3:12

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman  
Frederick J. Shon  
Dr. Peter S. Lam

OFFICE  
OF  
ADMINISTRATIVE  
JUDGES

**SERVED APR 21 1999**

In the Matter of

CAROLINA POWER & LIGHT COMPANY

(Shearon Harris Nuclear  
Power Plant)

Docket No. 50-400-LA

ASLBP No. 99-762-02-LA

April 21, 1999

ORDER

(Granting Motion to Relocate  
Prehearing Conference)

Upon consideration of the March 9, 1999 motion of petitioner Board of Commissioners of Orange County, North Carolina, (BCOC) to move the scheduled initial prehearing conference from the Atomic Safety and Licensing Board Panel (ASLBP) hearing room in Rockville, Maryland, to the vicinity of the Shearon Harris Nuclear Power Plant, and there being no opposition thereto, it is

ORDERED, that the March 9, 1999 BCOC motion to relocate the initial prehearing conference is granted;<sup>1</sup> and it is

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<sup>1</sup> In granting the BCOC relocation motion, the Board notes that, particularly given the availability of all participants counsel in the Washington, D.C. area, its preference would have been to hold this initial prehearing conference in the ASLBP hearing room and provide a video feed to a public location in the vicinity of the Harris  
(continued...)

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SECY-02

FURTHER ORDERED, that the initial prehearing conference will be held in the District Court of Orange County Courtroom located in the Chapel Hill Post Office Building, 179 E. Franklin Street, Chapel Hill, North Carolina, beginning at 9:30 a.m. on Thursday, May 13, 1999. If necessary, the prehearing conference will continue on Friday, May 14, 1999, at the same location.

During the initial prehearing conference, the Licensing Board will hear arguments from the participants on the issues of BCOC's standing and the admissibility of the contentions BCOC has submitted.

If BCOC subsequently is found to have standing and to have submitted one or more litigable contentions, the Board will issue a notice of hearing that, in accordance with 10 C.F.R. § 2.715(a), will afford members of the public an opportunity to provide written or, as appropriate, oral limited appearance statements on the issues. The Board will issue a further notice outlining the times, places, and

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<sup>1</sup>(...continued)  
facility. Although it was unable to locate a suitable, cost-effective local videoconferencing venue for this conference, it will continue to pursue this option for future conferences, as appropriate.

conditions of participation in the event the Board provides an opportunity for oral limited appearance statements.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>2</sup>

A handwritten signature in dark ink, reading "G. Paul Bollwerk, III", is written over a horizontal line.

G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

April 21, 1999

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<sup>2</sup> Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant Carolina Power and Light Company; (2) petitioner BCOC; and (3) the NRC staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

CAROLINA POWER & LIGHT COMPANY

(Shearon Harris Nuclear Power Plant)

Docket No.(s) 50-400-LA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (GRANTING MOTION...) have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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Washington, DC 20555

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Administrative Judge  
Frederick J. Shon  
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Docket No.(s)50-400-LA  
LB ORDER (GRANTING MOTION...)

Dated at Rockville, Md. this  
21 day of April 1999

*Adrian T. Byrdson*  
Office of the Secretary of the Commission