

November 2, 1982

DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'82 NOV -3 P2:11

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)	
)	
CAROLINA POWER & LIGHT COMPANY)	Docket Nos. 50-400 OL
AND NORTH CAROLINA EASTERN)	50-401 OL
MUNICIPAL POWER AGENCY)	
)	
(Shearon Harris Nuclear Power)	
Plant, Units 1 and 2))	

APPLICANTS' MOTION FOR LEAVE TO FILE A
REPLY TO OBJECTIONS BY OTHER PARTIES TO
THE BOARD'S PREHEARING CONFERENCE ORDER

On September 22, 1982, the Atomic Safety and Licensing Board issued a Memorandum and Order (Reflecting Decisions Made Following Prehearing Conference). Pursuant to the schedule established therein, Applicants, the NRC Staff and intervenors CHANGE, CCNC, Eddleman and Wilson have filed timely objections to the Memorandum and Order. Applicants Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency herein move the Board for leave to file the attached reply to the objections by other parties.

The Board's permission to file a reply may be viewed to be necessary in view of the provision in the Commission's Rules of Practice which states that "[p]arties may not file replies to the objections unless the Board so directs."

10 C.F.R. § 2.751a(d).

Applicants have limited their reply to a few challenged Board rulings, each of which has been the subject of new

developments since the Memorandum and Order issued.^{1/} Applicants' purpose is to ensure that, in considering the objections filed, the Board is fully informed of these new facts.

Respectfully submitted,

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Dated: November 2, 1982

^{1/} In the case of other objections raised by the Intervenor, Applicants have not repeated their earlier positions advanced in response to proposed contentions. We have not abandoned those positions in the face of the objections, and assume that the Board would direct or invite the filing of any necessary replies.