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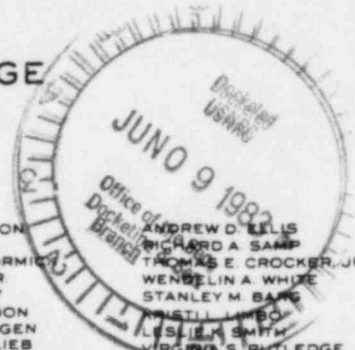
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WRITER'S DIRECT DIAL NUMBER

June 7, 1983

822-1090

M. Travis Payne, Esquire  
Edlestein and Payne  
P.O. Box 12643  
Raleigh, North Carolina 27605

In the Matter of  
Carolina Power & Light Company and North  
Carolina Eastern Municipal Power Agency  
(Shearon Harris Nuclear Power Plant, Units 1 and 2)  
Docket Nos. 50-400 and 50-401 OL

Dear Travis:

Applicants' Interrogatories and Request for Production of Documents to Joint Intervenors (Second Set), March 9, 1983, included the following General Interrogatory:

- 2(a). State the name, present or last known address, and present or last employer of each person, other than affiant, who provided information upon which Joint Intervenors relied in answering each interrogatory herein.
- (b). Identify all such information which was provided by each such person and the specific interrogatory response in which such information is contained.

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PDR ADOCK 05000400  
G PDR

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SHAW, PITTMAN, POTTS & TROWBRIDGE

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

M. Travis Payne, Esquire  
June 7, 1983  
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The answer provided in Joint Intervenor's responses of May 16, 1983, was: "None other than Joint Intervenor's." You personally swore to the truth and accuracy of the responses.

It is our view that Joint Intervenor's answer is not responsive. Applicants' General Interrogatory 2 calls for the identification of a person or persons other than yourself (the affiant). The institutional answer identifying "the Joint Intervenor's" is not adequate. Certainly not all of the representatives and/or members of the Kudzu Alliance, Conservation Council of North Carolina, Chapel Hill Anti-Nuclear Group Effort, and the Environmental Law Project provided information relied upon in answering each of Applicants' interrogatories.

In order to direct our next round of discovery requests (due on or before June 30, 1983) with specificity and efficiency for all concerned, Applicants need to know whether only Mr. Eddleman prepared the answers, or, if not, who did. I should add that it is not adequate to refer merely to the authors of the references upon which Joint Intervenor's rely. Rather, the individuals who utilized those references in responding to Applicants' interrogatories provided information within the meaning of Applicants' General Interrogatory 2. Even if Joint Intervenor's do not have an expert "retained or specially employed," or who will testify in support of Joint Contention II, Applicants may need to depose any expert member of Joint Intervenor's or other expert or persons informally consulted who will assist Joint Intervenor's in utilizing the vast literature available on radiological health effects to cross-examine Applicants' witnesses or to oppose any motion by Applicants for summary disposition. See the Licensing Board's Memorandum and Order of May 27, 1983. If Joint Intervenor's are relying upon any of the protection afforded in that Memorandum and Order, please demonstrate, as applicable, the "expertise" of the persons whose identities are being withheld, the facts underlying any "retained or specially employed" status, the need to withhold each person's identity, and the applicability of any other privilege.

Please reply to this letter within ten (10) days. This constitutes negotiation which tolls the time for Applicants to file a motion to compel discovery.

Sincerely,

*Thomas A. Baxter*

Thomas A. Baxter  
Counsel for Applicants

cc: Service List

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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)	)	

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