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WRITER'S DIRECT DIAL NUMBER

June 16, 1983

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Mr. Wells Eddleman
718-A Iredell Street
Durham, North Carolina 27705

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 Mr. Eddleman:

Applicants' Interrogatories and Request for Production of Documents to Intervenor Wells Eddleman (First Set), January 31, 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 you 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.

This General Interrogatory was also included in Applicants' Interrogatories and Request for Production of Documents (Second Set), March 9, 1983 and Applicants' Interrogatories and Request for Production of Documents (Third Set), April 7, 1983.

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Mr. Eddleman
June 16, 1983
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In your Response to Applicant's First Set of Interrogatories and Request for Production of Documents, dated March 21, 1983, you objected to the identification of any experts or persons you consulted in forming your answers to Applicants' interrogatories on Contentions 45, 65, 80, 83/84, and 132. You did not refer specifically to your objection to Applicants' General Interrogatory 2 in your answers to Applicants' interrogatories on Contention 75, however, you state earlier that your objection generally applies. Response to Applicants' First Set of Interrogatories and Request for Document Production, at 3, 37. You repeated the general objection in your Response to Applicants' Second Set of Interrogatories and Request for Production of Documents, dated April 22, 1983 concerning Applicants' interrogatories on Contentions 29 and 37B. You also repeated the objection in your Response to Applicants' Interrogatories (Third Set-End 1st Round) (Eddleman 64f and 67), dated May 6, 1983. In all three responses you declined to identify any experts or persons consulted in framing your answers to Applicants' interrogatories. You personally swore to the accuracy of these responses.

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 and to what extent you prepared the answers, or, were assisted by others. I should add that it is not adequate to refer merely to the authors of references or generally to unnamed persons upon whom you rely. The individuals who utilized references or otherwise assisted you in responding to Applicants' interrogatories provided information within the meaning of Applicants' General Interrogatory 2. Even if you do not have an expert "retained or specially employed," or who will testify in support of any of your contentions listed above, Applicants may need to depose an expert or persons you informally consulted who will assist you in utilizing the vast literature available on the contentions listed above 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 you 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 also identify any person not an expert with whom you consulted, in accordance with the Licensing Board's Memorandum and Order of May 27, 1983, page 16.

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Mr. Eddleman
June 13, 1983
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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

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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