

May 17, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

'83 MAY 19 A10:58

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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 OL
) 50-401 OL
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)
)

APPLICANTS' REQUEST FOR AN EXTENSION OF TIME
TO RESPOND TO
EDDLEMAN EMERGENCY PLANNING CONTENTIONS

On May 5, 1983, Applicants received "Wells Eddleman's Contentions re CP&L Site Emergency Plan (SHNPP Operating Manual, Volume 3, Book 1)," dated May 2, 1983, which resubmits 12 previously filed contentions, and proposes an additional ten new contentions. Applicants received Mr. Eddleman's May 14, 1983 "Supplement re contentions 150-160, and 161 re 5 factors for late filing of contentions" on May 16, 1983.

Counsel for Applicants have numerous conflicting obligations, necessitating additional time to respond to Mr. Eddleman's proposed emergency planning contentions. Counsel for Applicants are presently occupied with the ongoing discovery activities in other phases of this proceeding. In addition, counsel have numerous concurrent obligations in other proceedings now pending before the Commission. Moreover, pursuant to the Board's March 10, 1983 "Memorandum and Order (Reflecting Decisions Made Following Second

DS03

Prehearing Conference", the evidentiary hearing on emergency planning contentions is not scheduled to commence until February, 1985. Thus, no party will be prejudiced by a brief extension of time at this juncture.

Accordingly, pursuant to 10 C.F.R. § 2.711, Applicants respectfully request that the Board extend the time for filing of Applicants' response to Mr. Eddleman's proposed emergency planning contentions (including the May 14 "Supplement") to June 3, 1983. Counsel for Applicants have contacted counsel for the NRC Staff, who does not oppose Applicants' request, and seeks a corresponding extension of time for the filing of the Staff's response (to June 8, 1983). Counsel for Applicants also contacted Mr. Eddleman, who does not oppose either of the requested extensions of time.

Respectfully submitted,

SHAN, RITTMAN, POTTS & TROWBRIDGE



John H. O'Neill, Jr.

Counsel for Applicants

202/822-1000

Dated: May 17, 1983

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Request for an Extension of Time to Respond to Eddleman Emergency Planning Contentions" dated May 17, 1983 were served this 17th day of May, 1983, by deposit in the U.S. mail, first class, postage pre-paid, to the parties on the attached Service List.



John H. O'Neill, Jr.

Dated: May 17, 1983

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