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Dr. James H. Carpenter
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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

RE: Agreement for Resolution of Security Plan Contention 4

Administrative Judges Kelley, Bright and Carpenter:

Subsequent to the Board's Memorandum and Order (Ruling on Security Contentions), dated January 19, 1984, admitting Contentions 2, 3, 4 and 6, Applicants, Intervenor, and NRC Staff exchanged information and engaged in discussions with a view towards resolving the admitted Contentions by means of an agreement among them. Contentions 2, 3, and 6 were resolved by such an agreement concluded on March 14, 1984.

On March 15, 1984, Intervenor filed written interrogatories (Intervenor Interrogatories to Applicants on Admitted Security Contentions) on the remaining contention, Contention 4. These interrogatories have been answered.

Through discovery and continued exchange of information, the parties have reached an agreement for resolution of Contention 4. This written agreement is being transmitted in accordance with the procedures appropriate for Safeguards Information set forth in the Board's Protective Order Governing Access to Security Plan Information, dated August 3, 1983.

Any Commitments made by Applicants in the Agreement are made in the spirit of cooperation and negotiation without conceding the merit of the Contention. Pursuant to the agreement, the Intervenor is joining with Applicants and Staff in filing concurrently herewith a motion to withdraw Contention 4.

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Sincerely,

Hill Carrow
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Attorney

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