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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
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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))	

APPLICANTS' MOTION FOR EXTENSION OF
TIME TO FILE MOTIONS FOR SUMMARY
DISPOSITION OF EDDLEMAN 11, 45 AND 116

In its Memorandum and Order (Reflecting Decisions Made Following Second Prehearing Conference) at 7 (March 10, 1983), the Board set May 16, 1984 as the last day for filing motions for summary disposition of safety contentions. Applicants hereby move for an extension of time to file motions for summary disposition of Eddleman 11 (qualification of polyethylene cable insulation), 45 (water hammer) and 116 (fire protection) on or before May 25, 1984.

The basis for the requested extension is the assessment by Applicants and Mr. Eddleman that substantial progress was being achieved in their efforts to settle these three contentions. These efforts, initiated approximately one month ago, have included meetings between Mr. Eddleman and Applicants' counsel

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and experts, and the exchange of substantive information on an informal basis. Applicants and Mr. Eddleman had hoped to conclude these discussions on a schedule which would avoid the potentially wasteful effort of preparing, and filing responses to, summary disposition motions.

While the discussions have not yet concluded, Applicants find it prudent at this point to resume preparation of summary disposition motions. Because these settlement efforts somewhat extended and diverted motion preparation, however, a brief extension is necessary. Mr. Eddleman has no objection to the requested extension. Counsel for the NRC Staff also agrees to the extension, provided that the Staff is given some additional time after the environmental hearing to file its responses. It was agreed that the schedule for the Staff's responses would be discussed at the environmental hearing.

Respectfully submitted,

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DATED: MAY 14, 1984

May 14, 1984

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motion for Extension of Time to File Motions for Summary Disposition of Eddleman 11, 45 and 116" were served this 14th day of May, 1984, by hand delivery to the parties identified with one asterisk and by deposit in the U.S. mail, first class, postage prepaid, to the other parties on the attached Service List.

Thomas A. Baxter
Thomas A. Baxter, P.C.

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