

RAS 13772



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June 8, 2007 (12:24pm)

OFFICE OF SECRETARY
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ADJUDICATIONS STAFF

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June 8, 2007

John H. O'Neill Jr.
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Administrative Judge
Ann Marshall Young, Esq., Chair
Atomic Safety and Licensing Board
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Administrative Judge
Dr. Alice Mignerey
Atomic Safety and Licensing Board
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Administrative Judge
Dr. Peter S. Lam
Atomic Safety and Licensing Board
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: In the Matter of Carolina Power & Light Company (Shearon Harris
Nuclear Power Plant, Unit 1), ASLBP No: 07-855-02-LR:
Response to the Board's Scheduling Order

Dear Board Members:

Applicant Progress Energy addresses the questions raised in the Board's June 5 Scheduling Order.

The Petition to Intervene of North Carolina Waste Awareness and Reduction Network and the Nuclear Information and Resource Service ("Petition") was served on Applicant's counsel by first class mail and was postmarked May 19, 2007. Mr. Runkle confirmed that the Petition dated May 18, 2007, was placed in U.S. mail on May 19, 2007. Applicant's Answer is due on June 18, 2007 (25 days provided for pursuant to 10 C.F.R. § 2.309(h), plus 5 days for service by first class mail pursuant to 10 C.F.R. § 2.306).

The Board requested that the parties indicate their preferences for two suggested dates for oral argument on the Petition: June 28 or July 17. Applicant prefers July 17. In addition, counsel of record for Applicant would be available for an oral argument by conference call on the morning of June 28. Both of Applicant's counsel of record are

TEMPLATE = SECY-037

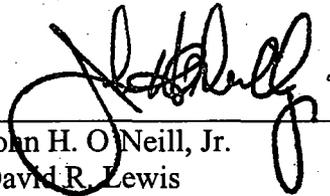
SECY-02

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scheduled for a meeting with the General Counsel and a number of officials of the Department of Energy from 1:00 PM to 4:00PM on June 28. A date for that meeting was set with some difficulty, because a number of the DOE officials will travel from out of town to attend. This is the reason for our unavailability on the afternoon of June 28.

Notices of Appearance of Applicant's counsel are enclosed.

Respectfully submitted,



John H. O'Neill, Jr.
David R. Lewis

PILLSBURY WINTHROP SHAW PITTMAN LLP
2300 N Street, N.W.
Washington, DC 20037-1128
Tel. (202) 663-8148

Counsel for Applicant Progress Energy

cc: Service List

June 8, 2007

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

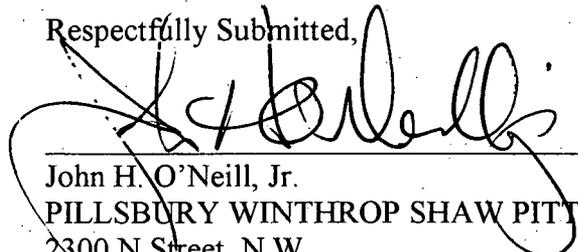
Before the Atomic Safety and Licensing Board

In the Matter of)	
)	Docket No. 50-400-LR
CAROLINA POWER AND LIGHT)	
COMPANY)	
)	ASLBP No. 07-855-02-LR
(Shearon Harris Nuclear Power Plant,)	
Unit 1))	

NOTICE OF APPEARANCE OF JOHN H. O'NEILL, JR.

John H. O'Neill, Jr., being an attorney at law in good standing admitted to practice before the courts of the District of Columbia and the State of Maryland, as well as various federal courts, hereby enters his appearance as counsel on behalf of Applicant Progress Energy in any proceeding related to the above-captioned matter. Progress Energy whose business address is P.O. Box 1551, Raleigh, North Carolina 27602-1551, has authorized Mr. O'Neill to represent it as counsel in this proceeding. Mr. O'Neill is designated as lead counsel for Progress Energy for purposes of service by regular or overnight mail, e-mail, facsimile, or hand delivery.

Respectfully Submitted,



John H. O'Neill, Jr.
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Counsel for Applicant Progress Energy

June 8, 2007

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

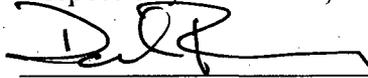
Before the Atomic Safety and Licensing Board

In the Matter of)
) Docket No. 50-400-LR
CAROLINA POWER AND LIGHT)
COMPANY)
) ASLBP No. 07-855-02-LR
(Shearon Harris Nuclear Power Plant,)
Unit 1))

NOTICE OF APPEARANCE OF DAVID R. LEWIS

David R. Lewis, being an attorney at law in good standing admitted to practice before the courts of the District of Columbia, as well as various federal courts, hereby enters his appearance as counsel on behalf of Applicant Progress Energy in any proceeding related to the above-captioned matter. Progress Energy whose business address is P.O. Box 1551, Raleigh, North Carolina 27602-1551, has authorized Mr. Lewis to represent it as counsel in this proceeding.

Respectfully Submitted,



David R. Lewis
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Counsel for Applicant Progress Energy

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	Docket No. 50-400-LR
CAROLINA POWER AND LIGHT)	
COMPANY)	
)	ASLBP No. 07-855-02-LR
(Shearon Harris Nuclear Power Plant,)	
Unit 1))	

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicant's Response to the Board's Scheduling Order," "Notice of Appearance of John H. O'Neill, Jr." and "Notice of Appearance of David R. Lewis," dated June 8, 2007, were served on the persons listed below by deposit in the U.S. Mail, first class, postage prepaid, and where indicated by an asterisk by electronic mail, this 8th day of June, 2007.

*Administrative Judge
Ann Marshall Young, Chair
Atomic Safety and Licensing Board
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

*Administrative Judge
Alice Mignerey
Atomic Safety and Licensing Board
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

*Administrative Judge
Peter S. Lam
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Washington, D.C. 20555-0001

*Secretary
Att'n: Rulemakings and Adjudications Staff
Mail Stop O-16 C1
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*Lawrence J. Chandler, Esq.
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*John D. Runkle
Attorney at Law
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Chapel Hill, NC 27515-3793

A handwritten signature in black ink, appearing to read "DOR", with a long horizontal flourish extending to the right.

David R. Lewis