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MOHAWK 2-1418
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December 13, 1973

Honorable John F. Wolf, Chairman
Atomic Safety and Licensing Board
3409 Sheperd Street
Chevy Chase, Maryland 20015

Re: Carolina Power and Light Company
(H. B. Robinson, Unit No. 2)
Docket No. 50-261

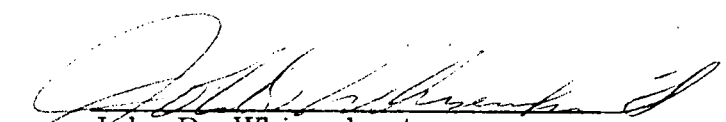
Dear Chairman Wolf:

While there is much in the Applicant's answer in opposition to Intervenor's motion which the writer would desire to respond to, unfortunately, the question was not raised as to whether or not the Intervenor would have the right to do so. Possibly, by this letter I am violating some rules of conduct unknown to the writer; therefore, I am putting it in the form of a letter with a copy to all shown on Mr. Silberg's service list, and to Mr. Silberg.

Chairman Wolf, at the end of paragraph 5 of the Answer of the Applicant, Mr. Silberg states that the Rules of Practice should allay Intervenor's fear that he will lose his right to cross-examine. That such right will be lost is so clearly demonstrated by the last sentence of the paragraph immediately preceeding this statement, which is underlined in his brief and states: "There is ordinarily no need for oral recital of prepared testimony unless the Board considers that some useful purpose will be served."

Chairman Wolf, if this letter is improper, I apologize to all concerned, and while I would like to respond more fully, I will not burden you and the other members of the Board, since a right to reply was not ascertained; but I could not sit idly by and not comment upon this point.

Yours very truly,


John D. Whisenhunt

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