

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

9.27.83

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Glenn O. Bright
Dr. James H. Carpenter
James L. Kelley, Chairman

In the Matter of

CAROLINA POWER AND LIGHT CO. et al.
(Shearon Harris Nuclear Power Plant,
Units 1 and 2)

Dockets 50-400 OL
50-401 OL

ASLBP No. 82-468-01
OL

RESPONSE PARTLY OPPOSING APPLICANTS'
PROPOSED SCHEDULE REVISION OF 9.12.83
by Wells Eddleman

Applicants blithely assert that I am not prejudiced by their proposed schedule revisions; they have never consulted me about them, before or after filing their motion. Since Applicants proposed November 11, 1983 as the last day for discovery responses, but October 14 as the last day for discovery requests, I believe October 21 (21 days before November 11) is a more appropriate cutoff date for discovery requests on contentions admitted August 18. (While in the past they have grumbled about my not doing discovery fast enough, here they seek to use my speed in filing against me. I note that their own discovery wasn't filed for nearly a month after the relevant contentions were admitted.) The date of October 21 is more consistent with my heavy workload in this case.

For contentions timely filed and admitted 9/22/82, there is no reason to alter the testimony filing date of December 9, except perhaps for 29, 37B and Joint II. The original schedule has been adhered to on the other "old" (9/22/82 admitted) contentions. Applicants are seeking more time because they can use it, not because they need it.

For the above reasons the above modifications to the proposed schedule should be made.

NB - Attachments (documents referenced in documents below)

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

may be mailed
separately 9-28 (or 9-30)
DOCKETED
USNRC
Docketing problems 9-27
Dockets 50-400
and 50-401 O.L.

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and 50-401 O.L.

'83 SEP 30 12:15

CERTIFICATE OF SERVICE

I hereby certify that copies of Summary Disposition Responses on:
64P, 75, 80 and 83/84; and of Motion for License Condition on Spent

Fuel Shipments To/From Harris; and of Response no. 9.12 proposed Schedule
HAVE been served this 27th day of September 1983, by deposit in

the US Mail, first-class postage prepaid, upon all parties whose
names are listed below, except those whose names are marked with
an asterisk, for whom service was accomplished by _____

*This date approved by Applicants and Judge Kelley in conference call of
September 22, 1983

Judges James Kelley, Glenn Bright and James Carpenter (1 copy each)
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US Nuclear Regulatory Commission
Washington DC 20555

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Certified by W. W. Edleman

ONE SET

& UPDATE re E83/84