

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

June 4, 1985

James L. Kelley, Chairman
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. James H. Carpenter
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Glenr. O. Bright
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

In the matter of

CAROLINA POWER & LIGHT COMPANY
and
NORTH CAROLINA EASTERN MUNICIPAL
POWER AGENCY

Docket Nos. 50-400 OL

(ACLBP NO. 82-472-03 OL)

(Shearon Harris Nuclear Power
Plant)

Dear Administrative Judges:

We have been advised by the Office of the Executive Legal Director that parties to this proceeding have requested that a member of the Office of Investigations (OI) staff be made available for a hearing scheduled later this month. We have also been advised that this OI staff member will be testifying both to the conduct and contents of the OI report of investigation recently provided to you.

In that this request is a matter of first impression, OI respectfully requests a three week extension in time so that we can consult with our counsel (OGC) and other members of the Commission to arrive at a conclusion regarding our testifying at a contested licensing hearings.

cc: S. Chilk, SECY
H. Plaine, OGC
G. Cunningham, ELD

Sincerely,

15/

Distribution:
OI:s/f 2-84-021
OI:c/f
OI:r/f

Ben B. Hayes, Director
Office of Investigations

OI
RAFortuna/jh BBHayes
06/03/85 06/07/85
DW:198501/Memo/Judge Kelly

B603040338 851231
PDR FOIA
GUILD85-173 PDR

A155

29

A155
149

ROUTING AND TRANSMITTAL SLIP

Date

5/5/85

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. Samuel Chilk, SECY		
2.		
3.		
4.		
5.		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Please serve enclosed letter on all parties.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org symbol, Agency/Post)	Room No - Bldg
Roger Fortuna, O1 <i>Roger</i>	
	Phone No.

5041-102

OPTIONAL FORM 41 (Rev. 7-76)
 Prescribed by GSA
 FPMR (41 CFR) 101-11.606

A156
~~150~~

A156

21

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

June 5, 1985

James L. Kelley, Chairman
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. James H. Carpenter
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Glenn O. Bright
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

In the matter of

CAROLINA POWER & LIGHT COMPANY
and
NORTH CAROLINA EASTERN MUNICIPAL
POWER AGENCY

Docket Nos. 50-400 0L
(ASLBP NO. 82-472-03 0L)

(Shearon Harris Nuclear Power
Plant)

Dear Administrative Judges:

We have been advised by the Office of the Executive Legal Director that parties to this proceeding have requested that a member of the Office of Investigations (OI) staff be made available for a hearing scheduled later this month. We have also been advised that this OI staff member will be testifying both to the conduct and contents of the OI report of investigation recently provided to you.

In that this request is a matter of first impression, OI respectfully requests a three week extension in time so that we can consult with our counsel (OGC) and other members of the Commission to arrive at a conclusion regarding our testifying at a contested licensing hearings.

cc: S. Chilk, SECY
H. Plaine, OGC
G. Cunningham, ELD

Sincerely,

Distribution:

✓ OI:s/f 2-84-021

OI:c/f

OI:r/f

OI *

RAFortuna/jh

06/03/85

Dw:198501/Memo/Judge Kelly

OI *

BBHayes

06/ /85

Ben B. Hayes, Director
Office of Investigations

* PREVIOUSLY CONCURRED

~~8546070460~~ JP

A157

22

A157
HST