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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

Before Administrative Judges:

'99 DEC 13 P1:03

G. Paul Bollwerk, III, Chairman
Frederick J. Shon
Dr. Peter S. Lam

OFFICE OF THE
ADMINISTRATIVE JUDGES

In the Matter of
CAROLINA POWER & LIGHT COMPANY
(Shearon Harris Nuclear
Power Plant)

Docket No. 50-400-LA
ASLBP No. 99-762-02-LA
December 13, 1999

SERVED DEC 13 1999

MEMORANDUM AND ORDER
(Extending Time for Written
Summaries and Oral Argument)

At the request of the parties, on December 8, 1999, the Board convened a telephone conference from the Southern Human Resources Center in Chapel Hill, North Carolina, where the Licensing Board was conducting 10 C.F.R. § 2.715(a) limited appearance sessions. See Tr. at 178. The purpose of this telephone conference was to discuss an oral request by the NRC staff to extend for approximately two weeks the respective December 20, 1999, and January 4, 2000 dates for filing written summaries and conducting an oral argument pursuant to 10 C.F.R. § 2.1113(a). According to the staff, this extension is needed to permit it to review and incorporate into its submission a study it was being provided that date by applicant Carolina Power & Light

Company (CP&L) on piping suitability, which may be relevant to the matters at issue in admitted Technical Contention 3, Inadequate Quality Assurance.¹ Specifically, the staff requested that it be given until Wednesday, January 5, 2000, within which to make its written filing and that the oral argument date be moved to Friday, January 21, 2000. See Tr. at 179-182.

CP&L and intervenor Board of Commissioners of Orange County, North Carolina, (BCOC) indicated the staff previously had advised them of its need for additional time and did not oppose a written summary filing extension or the January 21, 2000 date proposed for the oral argument. Counsel for BCOC, however, did request that in granting the extension, the Board set the date for filing the parties' written summaries earlier in the week of January 3, 2000. According to counsel, in anticipation of the scheduled January 4, 2000, oral argument, she had scheduled overseas travel for the period of January 8-17, 2000, during which she would be unavailable to review the staff and CP&L filings to prepare for the January 21 oral argument. BCOC counsel indicated that the earlier filing date would afford her the time needed before and after this travel to review

¹ CP&L counsel indicated the report was being provided to BCOC as well. See Tr. at 179-80.

the pleadings and prepare for the oral argument. See Tr. at 181-82.

Upon consideration of the staff's extension request and the BCOC and CP&L responses thereto, in accordance with its authority under 10 C.F.R. § 2.718, the Board grants the staff's extension request in that the parties' written summaries shall be filed on or before Tuesday, January 4, 2000. Oral argument relating to those written summaries will be conducted on Friday, January 21, 2000, beginning at 9:30 a.m. in the Atomic Safety and Licensing Board Panel Hearing Room, Room T-3B45, Third Floor, Two White Flint North Building, 11545 Rockville Pike, Rockville, Maryland.²

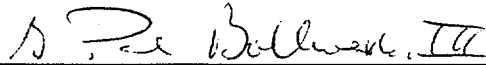
The filings permitted under this memorandum and order should be served on the Board, the Office of the Secretary, and counsel for the other parties by facsimile transmission, e-mail, or other means that will ensure receipt by midnight Eastern Time (ET) on the day of filing. See Licensing Board

² Although the January 21, 2000 hearing date proposed by the parties is 17 days after the submission of their written statements, as opposed to the 15 days provided for in 10 C.F.R. § 2.1113(a), BCOC has made a showing adequate to justify the January 4, 2000 filing date.

Memorandum and Order (Initial Prehearing Order) (Feb. 24, 1999) at 9 (unpublished).

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD³



G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

December 13, 1999

³ Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for (1) applicant CP&L; (2) intervenor BCOC; and (3) the staff.

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NUCLEAR REGULATORY COMMISSION

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(Shearon Harris Nuclear Power Plant)

Docket No.(s) 50-400-LA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O-EXT TIME..ORAL ARGUMENT have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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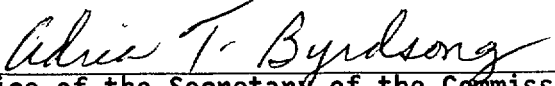
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Docket No.(s)50-400-LA
LB M&O-EXT TIME..ORAL ARGUMENT

Dated at Rockville, Md. this
13 day of December 1999


Office of the Secretary of the Commission