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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

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Administrative Judge
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U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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In the Matter of
CAROLINA POWER & LIGHT COMPANY
(Shearon Harris Nuclear Power Plant)
Docket No. 50-400-LA, ASLBP No. 99-762-02-LA

Dear Administrative Judges, Ms. Curran, Mr. O'Neill, Mr. Hollaway, and Mr. Carr:

The NRC staff has identified two proprietary documents as exhibits attached to affidavits submitted in support of the "NRC STAFF BRIEF AND SUMMARY OF RELEVANT FACTS, DATA AND ARGUMENTS UPON WHICH THE STAFF PROPOSES TO RELY AT ORAL ARGUMENT ON TECHNICAL CONTENTIONS 2 AND 3," which the Staff is filing today. The two documents are: (1) Letter from J. Scaraola (CP&L) to U.S. Nuclear Regulatory Commission, "Shearon Harris Nuclear Power Plant, Docket No. 50-400/License No. NPF-63, Request for License Amendment Spent Fuel Storage," Enclosure 6, Section 4.0, Criticality Safety Evaluation, December 23, 1999 (Exhibit 21 to the Affidavit of Laurence I. Kopp and Exhibit 3 to the Affidavit of Anthony P. Uises); and (2) "Evaluation of Fresh Fuel Assembly Misload in Harris Pools C and D," HI-992283, Holtec International, September 1999 (Exhibit 24 to the Affidavit of Laurence I Kopp).

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The Staff has not attached the two documents to the affidavits, which will be publicly available, nor provided them on the CD-ROM with the electronic versions of the other Staff exhibits. Rather, the Staff is attaching hard copies of those documents to this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Uttal". The signature is written in a cursive style with a large initial "S" and "U".

Susan Uttal
Counsel for NRC Staff