Amended Petition of Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc., for amendment of their Certificate of Public Good and other approvals required under 30 V.S.A. § 231(a) for authority to continue after March 21, 2012, operation of the Vermont Yankee Nuclear Power Station, including the storage of spent nuclear fuel.

NOTICE OF APPEARANCE AND MOTION TO INTERVENE OF THE WINDHAM REGIONAL COMMISSION

Please enter the pro se appearance in the above captioned matter of Christopher Campany, Executive Director, for Windham Regional Commission (WRC).

The WRC hereby petitions the Board for permission to intervene as a party pursuant to Board Rule 2.209 and status as a party to docket 7440. The Board stated in its Order of March 29, 2012 and in its Prehearing Conference Memorandum of May 7, 2012 that a statement confirming an intention to remain a Party and a Notice of Appearance would be sufficient to afford party status in this docket. We have filed this formal motion at the beginning of the docket as a public document outlining our concerns and interests, and to serve as a foundation upon which our future participation will flow.

WRC represents 27 towns in Southeastern Vermont and neither supports nor opposes the continued operation of the Vermont Yankee nuclear station. We recognize many important issues in this docket, chief among them are overall reliability, prompt and complete decommissioning, and critical economic impacts of plant operation and eventual closure. We seek party status with regard to all issues to be considered in docket 7862.

WRC represents the interests of its member municipalities and citizens, which is a distinct group of constituents. While this constituency is a subset of the constituents of the Department of

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1 WRC is a regional planning commission acting under 24 V.S.A. Chapter 117 to support the Windham Regional Plan adopted on October 24, 2006 and approved by its 27 municipal constituents. The Plan includes several relevant policies including 4.6(4)(d) which applies to “…all energy generation, transmission, and distribution projects,” and calls on the Commission to “Effectively and adequately address all issues related to facility operation and reliability...”
Public Service, which is itself a statutory party to this docket, the concerns of our constituency are unique. WRC calls attention to the August 7, 2009 Reply Brief we filed in docket 7440, which is the genesis docket of docket 7862, and contrasts our positions with those the Department has taken specifically regarding Joint and Several Responsibility, Reduced Pool Density, Post Shutdown Use of Spent Fuel Pool, Decommissioning and SAFSTOR, Payments to the Decommissioning Fund, and the Removal of Structures. The Department and WRC diverge to some degree on these and other issues, and no other party adequately represents the interests of our constituents both broadly and with neutrality regarding continued operation.

Docket 7862 will consider a variety of issues that will have a profound effect on the economy and land use of the Windham Region, both in the near and long term. This is the only venue in which many of these issues will be considered, and WRC has a fundamental interest in supporting its associated Regional Plan policies and generalized constituent interests that can only be addressed within this forum.

WRC is represented pro se in this docket, and has been a pro se party to other dockets including several of those established to consider conditions under which Vermont Yankee has and may continue to operate, chief among them dockets 6812 (Uprate), 7082 (Dry Casks), 7440 (Continued Operation under a New or Amended Certificate and Order), and 7600 (Investigation of Tritium Leaks). WRC intends to bring a similar perspective to this docket, and we do not believe our participation will unduly delay the proceeding or prejudice the interest of existing parties or the public. To the contrary, our representation and advocacy in this docket will be directed to aid the interests of the public.

WRC requests that email correspondence related to this docket be addressed first to Christopher Campany (ccampany@sover.net), and then to Cullen Meves (cmeves@sover.net) and Tom Buchanan (email.tom.buchanan@gmail.com). Written correspondence should be sent in duplicate when possible to: Chris Campany, Executive Director, Windham Regional Commission, 139 Main Street, Suite 505, Brattleboro, Vermont, 05301.

Dated at Brattleboro, Vermont this 14th day of June, 2012.

Windham Regional Commission

By: 

Christopher Campany
Executive Director

Cc: Service List Docket 7440/7862
CERTIFICATE OF SERVICE

I, Ashley Collins, hereby certify that on the 14th day of June 2012, a copy of the attached filing regarding PSB Docket No. 7440 and PSB Docket No. 7862 was sent via U.S. Mail, postage prepaid, to the following:

Susan Hudson, Clerk
VT Public Service Board
Chittenden Bank Bldg.
112 State Street – Drawer 20
Montpelier, VT 05620-2701

John Beling, Esq., Director of Public Advocacy
Sarah Hofmann, Esq., Jeanne Elias, Esq.
Vermont Department of Public Service
112 State Street
Montpelier VT 05620-2601

Downs Rachlin Martin, PLLC
90 Prospect Street - P.O. Box 99
St. Johnsbury, VT 05819-0099
(For Entergy Vermont Yankee, LLC and Entergy Nuclear Operations, Inc)

Robert C. Juman, Esq., Kathleen M. Sullivan, Esq., Sanford I. Weisburst
Quinn Emanuel Urquhart & Sullivan, LLP
51 Madison Avenue, 22nd Floor
NY, NY 10010

Robert B. Hemley, Esq., Matthew B. Byrne, Esq.
Gravel and Shea PC
PO Box 369
Burlington, VT 05402-0369

William B. Glew, Jr. Esq.
Associate General Counsel—Regulatory
Entergy Corporation
1776 eye Street, N.W. – Suite 907
Washington, DC 20006
(Mail Undeliverable as of 6-9-10)

Jeanne Cho, Esq.
Entergy Nuclear Operations, Inc
440 Hamilton Avenue
White Plains, NY 10601

Judith Dillon, Esq.
Vermont Agency of Natural Resources
103 South Main Street
3rd Floor Center Building
Waterbury, Vermont 05671-0301

Brian Lederer, Esq.
Law Offices of Brian Lederer
3003 Van Ness Street, NW, Suite W228
Washington, DC 20008
(For IBEW Local No. 300)

George Clain, President
IBEW Local No. 300
3 Gregory Drive
South Burlington, VT 05403-6061

Peter Zamore, Esq.
Benjamin Marks, Esq.
Sheehy Furlong & Behm, PC
30 Main Street - P.O. Box 66
Burlington, VT 05402 (GMP)

Donald J. Rendall, Jr., Esq
Green Mountain Power Corporation
163 Acorn Lane
Colchester, VT 05446 (GMP)

Dale A. Rocheleau. Esq.
Central Vermont Public Service Corporation
77 Grove Street
Rutland, VT 05701 (CVPSC)

Robert Woolmington, Esq.
Witten Woolmington Campbell & Boepple, P.C.
P.O. Box 2748, 4900 Main Street
Manchester Center, VT 05255
(TransCanada Hydro Northeast)

Robert M. Fisher, Esq.
Fisher & Fisher Law Offices
114 Main Street – PO Box 621
Brattleboro, VT 05302-0621
(Town of Brattleboro)
Jared M. Margolis
Attorney at Law
243 Cilley Hill Rd
Jericho, VT 05465
(New England Coalition, Inc.)

Sandra Levine, Esq.
Conservation Law Foundation
15 East State Street, Suite #4
Montpelier, VT 05602

J. Randall Pratt, Manager – Government Relations
VT Electric Cooperative, Inc.
42 Wescom Road
Johnson, VT 05656

Brian Dunkiel, Esq., Karen Tyler, Esq.,
Geoffrey Hand, Esq., Rebecca Boucher, Esq.
Dunkiel Saunders Elliot Raubvogel & Hand
91 College Street
Burlington, VT 05401

James A. Dumont, Esq.
Law Offices of James A. Dumont, Esq. PC
PO Box 229 – 15 Main Street
Bristol, VT. 05443
(Vermont Public Interest Research Group)

Sandra Dragon, President
Associated Industries of Vermont
P.O. Box 630
Montpelier, VT 05601

Jamey Fidel, Esq.
Vermont Natural Resources Council
9 Bailey Avenue
Montpelier, VT 05602

Caroline S. Earle, Esq.
Law Office of Caroline S. Earle, PLC
107 State Street, PO Box 1385
Montpelier, VT 05601-1385

Jeffrey C. Wilmette, IBEW
3 Gregory Drive
South Burlington, VT 05403