July 26, 2012

Ms. Susan M. Hudson, Clerk
Vermont Public Service Board
112 State Street – Drawer 20
Montpelier, VT 05620-2701

RE: Docket No. 7862

Dear Ms. Hudson:

Enclosed for filing with the Public Service Board are an original and seven copies of the First Set of Information Requests Served Upon Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. by the Windham Regional Commission. Copies of this filing on all parties of record in Docket Nos. 7862 and 7440 have been sent today by both email and U.S. Postal Service.

Please let me know if you have any questions.

Sincerely,

[Signature]

Chris Campany, AICP
Executive Director

Enclosure

Cc: Docket 7862 Service List
STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket 7862

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

FIRST SET OF INFORMATION REQUESTS SERVED UPON ENTERGY NUCLEAR VERMONT YANKEE, LLC AND ENTERGY NUCLEAR OPERATIONS, INC. BY THE WINDHAM REGIONAL COMMISSION

The Windham Regional Commission (WRC) hereby serves the following set of Information Requests upon Entergy Nuclear Vermont Yankee, LLC, (“ENVY”) and Entergy Nuclear Operations, Inc. (“ENO”) (collectively “petitioner” or “Entergy”) and requests that the petitioner answer the requests and deliver its answers and all requested materials to the WRC in accordance with the order in this docket.

INFORMATION REQUESTS

Questions for Michael Twomey:

1) At page 5, line 6 you introduce the witnesses whose testimony has been submitted on behalf of Entergy VY. Does Entergy VY intend to offer testimony from any employee of Entergy Nuclear Operations (ENO) or Entergy Nuclear Vermont Yankee (ENVY)?

2) How many people work for ENVY? Please list the corporate officers of Entergy Nuclear Vermont Yankee, and list any relationships these directors have with any other Entergy subsidiary.

3) At page 3, line 1 you state that “Entergy Corporation has an excellent record in several areas relevant to Entergy VY’s petition for an amended CPG.” Please describe the corporate relationship between Entergy Corporation and ENVY and ENO. Please list each subsidiary of Entergy Corporation and describe the relationship to ENVY and ENO, or provide a complete organizational chart.
4) Please identify the role that Entergy Corporation and all other subsidiaries play in decision making at Vermont Yankee. As one example, please describe how the decision was made to refuel the Station in October 2011 (RFO-29) and specifically who made the final determination to refuel, and what Entergy unit that person(s) work for.

5) Please identify the officers of each of the following Entergy subsidiaries identified in paragraph #16 of the Complaint for Declaratory and Injunctive Relief filed in the United States District Court for the District of Vermont as docket 11-CV-99, and the total number of persons employed by each: Entergy Nuclear Vermont Investment Company LLC, Entergy Nuclear Holding Company #3 LLC, Entergy Nuclear Holding Company. Please identify the relationship of each entity to ENVY and ENO.

6) Please identify the relationship between Entergy Services Inc. and ENVY and ENO.

7) Please identify the ongoing responsibilities of Entergy Nuclear Vermont Yankee, Entergy Nuclear Operations, and Entergy Corporation while the Vermont Yankee Station is operating, and through the period of SAFSTOR (if used) and eventual decommissioning.

8) At page 2, line 12 you state that Entergy Corporation and its affiliates own eleven nuclear power plants. Please list the locale, state, and NRC regulatory restrictions (if any) that prohibit the storage of spent nuclear fuel generated by Vermont Yankee at each of those plants.

9) At page 10, line 9 you identify two “breaker to breaker” runs as evidence of “the VY Station’s exemplary performance.” Please identify when the tritium leaks for which ongoing docket 7600 was opened occurred within this timeline.

10) At page 11, line 2 you state that as of December 2011 Entergy VY employed 623 people. Please break this total employment number into full and part-time employees. Please provide a breakout of where these employees live in a format that is similar to the data provided by Entergy VY in January 2008 and then filed by WRC in docket 7440 as exhibit WRC-TB-5.

11) At page 14, line 17 you answer “Yes” without qualification to the question, “Will the VY Station adhere to its commitment in the 2002 Memorandum of Understanding to restore the site through removal of all structures and, if appropriate, regrading and reseeding the land?” Are you now making a commitment on behalf of Entergy VY to remove all structures and foundations regardless of depth, rather than simply remove non-radiologically contaminated structures to three feet below grade?

12) At page 18, line 6 you state that the most significant of the remaining SNF management expenses are for the purchase and loading of SNF casks, “as construction of the pad has already occurred.” Does Entergy VY intend to construct a second pad for spent nuclear fuel after the shutdown of the Station? How many additional casks will be required after the shutdown of the Station, and will the existing pad accommodate all of them? What is the cost of each additional cask and any new pad that will be needed after the station ceases operation?
13) At page 21, line 7 you state that the dry cask storage facility was constructed to support 36 Holtec Storage Overpacks, which is sufficient to operate until 2032. Is the pad sufficiently sized to operate until 2032 if the NRC or the PSB requires a reduction in density of the spent fuel storage pool, or if Entergy VY makes a decision to reduce the density of the spent fuel pool?

14) At page 18, line 8 you state the ongoing SNF monitoring costs that would be incurred during any extended, post-shutdown storage period on the site are “relatively low.” What are the monitoring costs for wet storage in the elevated SNF pool, what are the monitoring costs in dry casks?

15) At page 21, line 2 you state that Entergy VY expects that direct costs of SNF storage should be recoverable until DOE removes the fuel from the VY Station. Please identify any costs that you consider unrecoverable. Is property tax assessed at the state or municipal level considered recoverable? Is Entergy Corporation, or any subsidiary of Entergy Corporation willing to reimburse the direct and indirect costs of SNF management not recovered from DOE?

16) Does Entergy VY have all the authorizations needed to store additional casks on the existing pad after March 21, 2012 and through March of 2032? Please explain.

Questions for Marc Potkin

1) At page 12, footnote 1 you state that Entergy Nuclear Power Marketing is now the authorized wholesale marketer for power produced at the VY Station. Please further describe the business relationship between Entergy Nuclear Power Marketing and ENVY and ENO.

2) At page 7, Question 17 you state that, “FERC has determined that Entergy VY does not have market power and has accordingly granted it authority to sell at what are called "market-based rates" without further review by the FERC.” Is Entergy free to sell power from Vermont Yankee under contract at rates projected to be lower than real-time market based rates?

3) At page 17, Question 52 you state that, “Entergy is willing to enter into a PPA with the Vermont utilities to sell power that is not otherwise committed under contract to another party at market rates and under the terms and conditions that are mutually agreeable.” Does Entergy currently have any commitments to sell power from VY to another Party? Please state what percentage of the power produced by Entergy VY is projected to be sold under contracts, and through the ISO-NE bidding process, for each year from now until 2032.

4) At page 14, Question 40 you state that the utilities were seeking “additional incremental value” beyond the RSA, and characterize this as asking “for a below market PPA.” Did the utilities insist that the contract price itself be significantly below the market price?
Were there other options that would have or could have provided value to the utilities and ratepayers besides a PPA with a low price?

5) At page 14, Question 42 you state, “The utilities often told us that absent a below-market PPA, they would not expect the General Assembly or the Public Service Board to approve the continued operation of the VY Station.” Did Entergy VY ever advocate to the legislature, the Department of Public Service, the Public Service Board, or the public at large for the continued operation of the VY station based on economic benefits that included below market power rates? Did you or did other employees of Entergy, at any time, discuss the public perception of the value of a below market PPA in securing a new CPG?

6) At page 19, line 5, you state, “It is beyond question that the VY Station is a valuable and reliable producer of electric power for the region, and at the very least an important insurer against any failures elsewhere in the system.” Has ISO-NE or any other power purchasing entity determined that the VY Station will remain a reliable producer of electricity through the entire 20 year term of the proposed CPG?

Questions for John Goodell:

1) At page 8, line 16 you state, “The VY Station and related improvements are built at an elevation generally around 252 feet above sea level, a level in excess of the FEMA 100-year and 500-year flood elevations, which are approximately 226.3 and 230.9 feet above sea level at the VY Station's intake structure (based on FEMA Flood Insurance Study Profile and Mapping, effective September 28, 2007).” What is the elevation of the existing spent nuclear fuel pad? What is the elevation of the ground at the cooling towers? What is the elevation of the area known as “the north 40” in the vicinity of the VELCO switchyard?

Questions for Jeffrey Tranen:

1) At page 6, Question 10 you address the reliability of the VY Station during the period of June 13, 2013 and May 31, 2016. Has ISO-NE made any determination regarding the need for Vermont Yankee after 2016? Has ISO-NE made any determination regarding the need for Vermont Yankee in the period between 2022 and 2032?

2) Has any nuclear generating station ever operated reliably for a period of 60 years? Has ENVY provided any guarantee or assurance that the Vermont Yankee Station will operate for the entire 20 year period for which it seeks a new CPG?

3) At page 7, line 21 you state that “ISO-NE also considers it plausible that over 5,000 MW—a sixth of the region’s existing generation fleet—may permanently shut down over the coming decade.” How does that 5,000 MW relate to ISO-NE projected demand over that same period? Is the production of Vermont Yankee included in this capacity? Does
ISO-NE consider it plausible that Vermont Yankee might cease production in the next 20 years?

4) At page 9, question 15 you address the reliability of the Vermont Yankee Station favorably with regard to the 345 kV transmission system. Are upgrades to the 345 kV transmission system planned? Specifically, please address the projected improvements listed in the VELCO 2012 Vermont Long-Range Transmission Plan.

5) At page 10, Question 18 you speak to the reliability of the ISO-NE region, and a finding that Vermont Yankee “could not adversely affect system stability and reliability.” Are there times, conditions, or locations within the state of Vermont when the operation of the VY Station might reduce system reliability? Specifically, please address conditions noted in the VELCO 2012 Vermont Long-Range Transmission Plan on pages 22, 24, and 27 in which the operation of Vermont Yankee aggravates overload conditions.

6) At page 11, Question 20 you describe “economic benefits that would accrue to Vermont consumers associated with the Revenue Sharing Agreement ("RSA") and the price of electricity whether or not Vermont electricity providers purchase power from Entergy VY. These include a reduction in the ISO-NE spot energy market clearing price, an associated reduction in bilateral contract prices, a reduction in the fixed costs of achieving the RGGI goals, and a reduction in transmission losses.” Will these benefits be available if Vermont Yankee does not operate reliably into the future? Is the reliable operation of the VY Station important with regard to the benefits that you project?

7) At page 20, Question 36 you discuss a report presented to the Vermont General Assembly on January 31, 2006 that estimated “…a reduction of roughly $0.31/megawatt hour ("MWh") in the energy-market clearing price for each 100 megawatts ("MW") of round-the-clock load reduction for gas prices of $6.00/Mmbtu.” Has the price of natural gas decreased since that report was produced? Has a reduction in natural gas pricing had any effect on the projected benefit? Please define this change.

8) At page 26, line 15 you state that, “Several nuclear units have been retired in New England.” Please list these units. Please identify the effect on market price of electricity related to the loss of each unit that was closed.

Questions for Harry Dodson

1) At page 8, line 1 of your June 29, 2012 testimony you speak about the “148 total acres of the VY Station site” and state that 94 acres are developed, eight acres are marginally developed, and 46 acres are undeveloped. In your docket 7440 prefilled testimony dated March 3, 2008, page 4, line 19, you identified the total acreage as 125 acres and said that 88 acres were developed, 17 acres were marginally developed, and just 20 were undeveloped. Please explain the difference including why your current testimony
identifies lower total acreage but at the same time classifies more than twice as much acreage as being undeveloped.

2) At page 24, line 9 of the June 29, 2012 prefiled testimony you state, “In summary, there are no impacts on open space contemplated in connection with continuing to operate the VY Station.” Are you aware of, or did you review any plans for a second dry fuel storage pad that could be constructed at any point during or following the period of extended operations?

3) At page 31, line 14 you state “Closure of the VY Station would not result in an improvement of scenic views because most of the structures at the facility would remain in place for decades under the requirements of the Nuclear Regulatory Commission's (NRC) SAFSTOR policy.” Would scenic views be improved if the Station was promptly decommissioned (DECON) rather than placed in SAFSTOR?

4) At page 40, line 11 you respond to a question and state that the continued operation of the Station will not have an adverse or undue adverse aesthetic effect and specifically review the Land Use Policies of the 2006 Windham Regional Plan. At page 28, line 15-20 you identify Windham Regional Plan discussion of “Radioactive Waste Management” and “Energy: Nuclear,” but you do not discuss Regional Plan Policies on page 95 specifically related to “Low Level Radioactive Waste” and “High level Radioactive Waste.” Please identify how permanent spent fuel storage will be handled in a way that meets plan policy #1 (page 95), which states, “Encourage a requirement that permanent spent nuclear fuel (SNF) storage be resolved prior to any consideration of extending or reviewing the operating license of Vermont Yankee.” Please identify how Entergy VY plans to meet the standard advocated in policy #2 (page 95), which states, “Support increased local and regional public involvement regarding all SNF permitting and licensing decisions.” Please address Low Level Radioactive Waste (LLRW) plan policies 1-2 (page 95) and compare and contrast the standard for LLRW storage at out-of-state facilities used by Entergy VY with standards applied to in-state storage, and identify how out-of-state standards meet the requirements of Regional Plan Policies.

5) Please identify how the petition and supporting testimony and exhibits filed in docket 7862, and the preemption claims of Entergy VY that seek to limit discussion of multiple issues and concerns, meet the standard of Regional Plan Policy 4.6(4)(d), which requires energy generation projects to, “Effectively and adequately address all issues related to facility operation and reliability, recognizing that in some instances they are inextricably intertwined with public health and safety concerns.”

Questions for Dr. Richard Lester:

1) When the NRC considers the licensing or relicensing of a nuclear power plant does it consider Green House Gas (GHG) production, or balance the GHG contribution of the
proposed plant against alternatives? Does it consider life-cycle GHG production, including fuel manufacturing, etc.?

2) When the NRC considers the licensing or relicensing of a nuclear power plant does it consider the need for power within the marketplace, or the potential for serving that need with conservation or efficiency?

3) On Page 19, line 13, your testimony discusses the trend of natural gas displacing coal as a fuel. You state: “The short-run impact on GHG emissions is thus highly beneficial. The longer-term impact is less clear, however, and could be unhelpful over the longer term if it deters investment in even lower-carbon alternatives.” Could the continued operation of Vermont Yankee also be “unhelpful” over the longer term if it deters investment in alternatives?

4) Beginning on page 21 you discuss the life cycle GHG emissions of nuclear power plants. Please describe the postulated future GHG emissions related to long-term spent fuel management. What time horizon was used to calculate these emissions, and what means of SNF management was defined for these scenarios?

5) On page 31, line 7 of your testimony you list EIA estimates of levelized costs per kwh for utility-scale renewable and “advanced combined-cycle” plants coming on-line in 2017. What is the actual levelized cost per kwh of Vermont Yankee, and what is the projected cost in 2017? Please compare the actual and projected costs of Vermont Yankee with the alternatives you have identified in your testimony.

6) Throughout your testimony, and on page 35, line 21, you project GHG emissions and comparisons with alternatives based upon Vermont Yankee operating for an additional 20 years. Would the benefits be less if Vermont Yankee does not operate for 20 years? Does the reliability of the Vermont Yankee Station have any effect upon regional GHG emissions?

Questions for William Cloutier:

1) Have any nuclear sites owned by Entergy or any Entergy subsidiary been decommissioned? If so, please list the sites and state which, if any, Entergy companies were involved in the decommissioning and what the role of each company was.

2) Have any nuclear sites owned by Entergy or any Entergy subsidiary been placed into SAFSTOR? If so, please list the sites and state which, if any, Entergy companies have been involved in placing the sites into SAFSTOR and maintaining them in SAFSTOR, and what the role of each company was.

3) If any Entergy nuclear sites have been decommissioned or placed in SAFSTOR, and a company that is not a subsidiary of Entergy served as the primary contractor for the work, please identify this company.
4) EN-TLG-2, Section 3, page 17 includes a narrative that projects labor costs (3.5.2). This narrative states that “Entergy VY will manage the decontamination and dismantling of the nuclear unit…” (see also Section 6, page 1). In this docket, Entergy VY is assumed to reference both ENO and ENVY. Is that the understanding of the term “Entergy VY” shared in EN-TLG-2? This same narrative states that a “Decommissioning Operations Contractor” will provide supervisory staff (3.5.2). Does Entergy Corporation provide this service? If possible, please list several DOC’s with experience in decommissioning nuclear reactors that could provide this service.

5) At page 8, line 19 you articulate an expectation that “…the geologic repository would be able to accommodate 3,000 metric tons of fuel annually…” Does DOE currently have a geologic repository or any other location to which it is authorized to store fuel removed from Vermont Yankee?

6) Your estimates appear to assume that DOE will remove all the spent nuclear fuel no later than 2082. Is it possible that DOE will not pick up the spent nuclear fuel by that date? How will the funding of ongoing storage be assured after 2082?

7) Paragraph 11 of the MOU in the sale docket (6545) requires ENVY to use its “commercial best efforts” to assure the spent fuel is removed from VYNPS site in a reasonable manner and as quickly as possible rather than stored at VYNPS. Given that DOE is in default of its contract and no longer has any disposal site available or planned for spent nuclear fuel, what other steps has ENVY taken to meet the requirement of “commercial best efforts?”

8) Mr. Twomey has testified that Entergy owns 11 nuclear power plants. Please list the local, state, and NRC regulatory restrictions (if any) that prohibit the storage of spent nuclear fuel generated by Vermont Yankee at each of those plants.

9) Is it possible for DOE to take title to the Spent Nuclear Fuel stored on the Vermont Yankee site and continue to use the site as an interim storage facility for an indefinite time period? Please specifically address the provisions of the Nuclear Waste Policy Act as amended, March 2004, Section 135(a)(1)(c) which allow for the construction of interim storage space for spent nuclear fuel, “…at any site of a civilian nuclear power reactor.”

10) At page 8, Question 19, and elsewhere, you state an expectation that spent fuel would be received by DOE based upon its date of discharge, with the oldest fuel taken first. If Vermont Yankee continues to operate until 2032 will it delay the point at which all of the fuel is removed from the station and the site is fully remediated, relative to a shutdown in 2012?

11) ENG-TLG-2, footnote 14 discusses the difference between DOE accepting SNF according to the OFF priority (Oldest Fuel First) and an alternative, which would remove all SNF from reactor sites that have already ceased operation before taking fuel from still operating sites. Please consider each scenario: Is all the fuel at the VY station more likely
to be removed sooner if the station ceases operation in 2012, rather than operating until 2032?

12) Could Entergy trade or sell its position in the DOE fuel queue? Will Entergy make a commitment not to trade or sell its position in the DOE queue without first receiving authorization from the Public Service Board?

13) Is it possible that DOE will not reimburse all the costs of SNF storage after cessation of operations (other than the capital costs you appear to describe in Answer 25 as “lost opportunity costs”)?

14) At page 13, Question 25 you speak to assumptions about recovery of spent fuel management costs from DOE and state, “The only decommissioning-trust funds that Entergy VY expects to be required to pay for SNF storage are the lost opportunity cost associated with the delay from the time when Entergy VY incurs SNF management costs until DOE pays the company's claims.” If DOE disallows any of the costs incurred for the storage of spent nuclear fuel after shutdown, will those costs be paid by the trust fund or by Entergy Corporation (or another subsidiary of Entergy)?

15) At page 15, line 1 you state that two other Entergy reactors (Pilgrim and Fitzpatrick) “may” be scheduled for decommissioning in 2032 and 2034. Will there be sufficient well trained labor to decommission three Entergy owned reactors at roughly the same time?

16) At page 15, line 1 you discuss the decommissioning of Entergy reactors at Pilgrim and Fitzpatrick. How will decommissioning be funded at these two reactors?

17) EN-TLG-2, page viii states: “The estimates include the continued operation of the reactor building as an interim wet fuel storage facility for approximately five and one-half years after operations cease. During this time period, it is assumed that the spent fuel residing in the pool will be transferred to an independent spent fuel storage installation (ISFSI) on the site.” Section 2, page 3 also states: “The pool remains operational for approximately five and one half years following the cessation of operations before the residual inventory is transferred to the ISFSI.” Could ENVY choose to delay transfer from the spent fuel pool, or use the spent fuel pool indefinitely and not transfer fuel to an ISFSI? Please describe the cost differences between extended wet and dry storage, paying special attention to the following statement in EN-TLG-2, Section 6, page 2: “Dry storage of the fuel provides additional flexibility in the event DOE is not able to meet its current commitments for completing the transfer of assemblies to an off-site facility and minimizes the associated caretaking expenses incurred by Entergy VY.”

18) Please identify how many spent fuel assemblies will be in wet and dry storage at each point through 2082.

19) Please identify what, if any, additional authorization Entergy VY would require from the NRC to reduce the density of the spent fuel pool by shifting SNF to dry casks.

20) Please identify specifically which NRC regulations, if any, prohibit Entergy VY from shifting SNF from the spent fuel pool to dry casks.
21) Given that Entergy VY accepted a CPG and Order in docket 7082 in which the Board stated, “...Therefore, we will require that, if Entergy VY requests an extension of its CPG beyond March 21, 2012, the amended Spent Fuel Management Plan must address the possibility of reducing the number of fuel rods stored in the spent fuel pool...,” and given that WRC has consistently advocated for moving spent fuel from wet to dry storage while the plant is operating to reduce the financial burden on the decommissioning fund and hasten the return of the land to productive use following decommissioning, please identify three alternative levels of pool density through 2082, with one being a maximum 50% of current capacity, and another being a maximum of the original configuration of the pool when the Station was initially licensed by the NRC. Please identify what the effect on the decommissioning fund will be if the costs associated with moving the fuel are treated as operating expenses rather than attributed to decommissioning.

22) EN-TLG-2 provides scenarios for SAFSTOR in 2012 and 2032, but only offers DECON scenarios for a shutdown in 2032. Has Entergy ruled out the use of DECON before 2032?

23) If decommissioning is delayed beyond March 31, 2022 and there are excess funds in the decommissioning fund, as described in paragraph 3 of the docket 6545 MOU, will Entergy share in these funds? Does Entergy have an incentive to delay decommissioning while the fund grows?

24) EN-TLG-2 (page xv) “…assumes that a second ISFSI is constructed at the site to accommodate all of the spent fuel generated from reactor operations.” Please identify where this second ISFSI will be located, how large it will be, and how many casks it will be designed to accommodate.

25) EN-TLG-2 page xv states “Consequently, this study assumes that the site structures addressed by this analysis are removed to a nominal depth of three feet below the local grade level wherever possible.” Section 2, page 8 lists structures, in addition to the power block, that would be removed to a nominal depth of three feet. Please identify all structures above and below three feet that the analysis assumes will be left in place, and to what depth the remaining structures will reach. Please identify where and at what depth the plan anticipates the “placement of gravel for drainage” following complete or partial removal of subsurface structures (see Section 2, page 8). Please identify the alternative cost for removing each structure completely, rather than to a nominal depth of three feet. Please explain what you mean by “wherever possible.”

26) Please explain in detail why TLG Services calculated projected property taxes for the period of SAFSTOR and DECON based on the assumption the property would be assessed as vacant land (EN-TLG-2, Section 3, page 20). Please explain why a large industrial plant occupying prime industrial land and employing dozens of workers will be taxed as “vacant land.” Please provide a list of all other nuclear plants that have been taxed as vacant land through an extended period of SAFSTOR or decommissioning.
Please provide a list of all other sites where spent nuclear fuel is stored that have been assessed and taxed as “vacant land.”

27) Please describe employment at each stage of SAFSTOR and DECON in terms of actual workers, rather than man hours.

28) Has Entergy ruled out the use of the ENTOMB option?

29) EN-TLG-2, Section 1, page 8 identifies a Total Effective Dose Equivalent (TEDE) standard for decommissioning of 25 millirem per year. Have any sites been decommissioned to an alternative standard? If so, please list those sites and the associated standard.

30) Does the decommissioning plan include any payment or reimbursement to the State of Vermont for regulatory oversight, inspections, or radiological or non-radiological testing or monitoring through the period of SAFSTOR and Decommissioning?

31) Does the decommissioning budget include any payments to charitable organizations in local communities through the period of SAFSTOR or Decommissioning?

32) In EN-TLG-2, Section 3, page 5 you address “Financial Risk” and include, “Delays in approval of the decommissioning plan due to intervention, legal challenges, and national and local hearings.” Please explain what authorities and regulatory requirements the budget assumes to comply with Vermont regulators, including the Public Service Board and the Vermont Legislature. Please identify what additional “financial risk” you have calculated to comply with delays and uncertainties specifically associated with state level regulation.

33) Paragraph 7 of the MOU signed by Entergy VY in docket 6545 states, “Board Approval for Amendment to Trust Regarding Use of Funds: ENVY shall obtain Board approval in the event it requests disbursement of funds from ENVY’s Qualified Decommissioning Trust Fund or Non Qualified Decommissioning Trust Fund (each as defined in the PSA) other than (i) for purposes of decommissioning VYNPS (as decommissioning is contemplated in paragraph 3 above), (ii) for payment of administrative expenses or (iii) for distribution of funds upon completion of decommissioning (including distributions contemplated under paragraph 3 above).” Please list all potential disbursements that you believe will not fit into one of the three categories listed in the MOU. For example, if ENVY enters into a property tax agreement with municipal or state government, would the agreement require PSB approval?

34) In EN-TLG-2, Section 3, page 8 you speak to a design change from vacuum drying to forced helium drying. Please explain when this design change is to be incorporated, and under what scenarios the associated costs will be calculated as an operating expense rather than charged to the decommissioning fund.

35) Is there currently a disposal site for waste Greater Than Class C (GTCC)? Is DOE obligated to remove this material with the SNF? Please expand on the associated text of EN-TLG-2, Section 3, page 9.
36) In EN-TLG-2, Section 3, page 12 (3.4.5) you address the potential for “fuel cladding failure” during the lifetime of the plant and assume any such failures would not exceed levels that permit shipping and disposal under current regulations and requirements. Please explain how the decommissioning cost analysis has calculated the effects of cladding failures at VY, and why you are confident in making the stated assumptions.

37) EN-TLG-2, Section 3, page 15 states, “Steel and transite piping was assumed to be removed. Large non-contaminated concrete piping, located at a depth of less than 20 feet, was assumed to be excavated, breeched and backfilled. Large non-contaminated concrete piping, located at a depth greater than 20 feet was abandoned in place (with access ways sealed).” Please identify where these pipes are located and identify the costs for complete removal of all of these structures, as described in the Docket 6545 MOU (paragraph 3, “...removal of all structures…”).

38) Why are “severance and retention costs” not included in the estimates? (EN-TLG-2, 3.5.2)

39) Please explain why some transition costs are not included in the estimates provided by EN-TLG-2, and the disposal of exiting material in storage is included (see three bulleted items, EN-TLG-2, Section 3, page 18, 3.5.4)

40) EN-TLG-2, Section 4, page 1 assumes all work (except vessel and internals removal) is performed during an 8-hour workday, 5 days per week, with no overtime. Why is the work scheduled to be handled by a single shift, and not multiple shifts?

41) EN-TLG-2, Section 4, page 2 “…assumes that the new ISFSI is located far enough away from the power block so as not to require any additional safeguards to be put in place for the protection of the fuel and/or the use of more benign dismantling techniques.” Please identify where on the site this ISFSI would be located in order to satisfy this assumption.

Dated at Brattleboro, Vermont, July 26, 2012.

Windham Regional Commission

L. Christopher Campany, AICP
Executive Director
CERTIFICATE OF SERVICE

I, Ashley Collins, hereby certify that on the 26th day of July 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.
Sheehey 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)