

STATE OF VERMONT
PUBLIC SERVICE BOARD

Case No. 8880

Joint Petition of NorthStar Decommissioning Holdings, LLC, NorthStar Nuclear Decommissioning Company, LLC, NorthStar Group Services, Inc., LVI Parent Corporation, NorthStar Group Holdings, LLC, Entergy Nuclear Vermont Investment Company, LLC and Entergy Nuclear Operations, Inc., and any other necessary affiliated entities to transfer ownership of Entergy Nuclear Vermont Yankee, LLC, and for certain ancillary approvals, pursuant to 30 V.S.A. §§ 107, 231, and 232	
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Order entered: 03/24/2017

ORDER REGARDING MOTION TO INTERVENE
OF ABENAKI NATION OF MISSISQUOI

On March 13, 2017, William J Brotherton filed a motion with the Vermont Public Service Board (“Board”) to intervene in this case on behalf of the Abenaki Nation of Missisquoi.

On March 17, 2017, the joint petitioners filed a response in which they object to this intervention motion. They note that the motion was filed almost two weeks after the deadline for intervention motions and that, therefore, it is untimely. In addition, they argue that the principal interest asserted by the movant is not relevant to this case.

On March 20, 2017, the Vermont Department of Public Service filed a response supporting the intervention of the Abenaki Nation of Missisquoi in order to address the tribe’s unique perspective in this proceeding.

No other responses to the intervention motion of the Abenaki Nation of Missisquoi were submitted to the Board, and the period for responses established by the Board has expired.¹

Although the motion was filed after the date set for timely intervention, the Board notes that this proceeding is still at an early stage. Thus, even though this motion was filed late, the

¹ See Case 8880, Order of 3/17/17, at 2.

granting of this intervention motion will not unduly delay the proceeding or prejudice the interests of existing parties or of the public.

In its motion, the movant asserts that:

There are culturally significant sites near Vermont Yankee and the Connecticut River. Our tribe wishes to participate in the process that will determine how the former nuclear power plant site is utilized in the future in order that we safeguard the heritage of our past.

The joint petitioners argue that the principal interest asserted by the movant is not relevant to this case because the future use of the site is not part of this proceeding. While this may be correct, the joint petition requests that the Board approve proposed site restoration standards.² These site restoration standards could affect future uses of the site. Such potential impacts fall within the particular interests of the movant.

Based on the foregoing, the Board hereby grants the motion for intervention filed by the Abenaki Nation of Missisquoi on a permissive basis pursuant to Board Rule 2.209(B). The Abenaki Nation of Missisquoi must take the schedule as it finds it.

SO ORDERED.

² See Petition of 12/16/17 at 8.

Dated at Montpelier, Vermont, this **24th day of March, 2017**

_____)	
James Volz)	PUBLIC SERVICE
_____)	
<i>Margaret Cheney</i>)	BOARD
Margaret Cheney)	
_____)	
<i>Sarah Hofmann</i>)	OF VERMONT
Sarah Hofmann)	

OFFICE OF THE CLERK

Filed: March 24, 2017

Attest: *Judith C. Whitney*
Clerk of the Board

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@vermont.gov)

PSB Case No. 8880 - SERVICE LIST

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^Motion to Intervene pending.