

Q. DPS:NS.1-59: Admit that, after closing of the Proposed Transaction, ENVY, which is to be renamed NorthStar VY, LLC ("NorthStar VY"), will remain bound to the same extent ENVY is currently bound by all terms and conditions of the Certificate of Public Good (CPG) granted in Docket 6545, as amended by the Board in Docket 7862.

- a. If the answer to Request 57 is anything other than an unqualified "admitted," identify all obligations ENVY has under the CPG that it intends to discharge prior to closing of the Proposed Transaction.
- b. If the answer to Request 57 is anything other than an unqualified "admitted," identify all obligations ENVY has under the CPG that Petitioners intend to request the Board to alter as part of the Board's decision in this proceeding.
- c. If the answer to Request 57 is anything other than an unqualified "admitted," identify all remaining obligations, other than those identified in response to Requests 57.a. and 57.b., that ENVY has under the CPG but by which it proposes it would not be bound after closing of the Proposed Transaction.

A. DPS:NS.1-59: Admitted, subject to the obligation discussed in subsection (a) below and the proposed conditions in State PFT at 18:5-17, 23:1-24:9 and 31:18-32:7.

- a. In the Docket 7862 MOU, with which the Docket 7862 CPG requires compliance, ENVY committed \$25 million to a SRT separate from the NDT for the VY Station. Docket 7862 MOU, ¶ 7. ENVY will complete that commitment prior to the closing date of the proposed transaction
- b. As part of this proceeding, NorthStar seeks to amend the following terms of the Docket 7862 MOU with which the Docket 7862 CPG requires compliance. First, NorthStar proposes to rubblize concrete, State PFT at 32:3-7, which may be considered a departure from the terms of the Docket 7862 MOU, ¶ 5. Second, the Docket 7862 MOU provides for site restoration to take place "promptly after completing radiological decommissioning," Docket 7862 MOU, ¶ 6, while NorthStar seeks to perform radiological decommissioning and site restoration concurrently, State 21:10-14. Third, the Docket 7862 MOU contemplated a SRT separate from the NDT, ¶ 7, while NorthStar seeks to contribute the SRT into a separate segregated sub-account within the NDT that it can access during decommissioning as site restoration tasks are completed, State PFT at 23:4-24:9.
- c. None.