

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

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

Order entered: 01/12/2018

PROCEDURAL ORDER RE STATE PARTIES' MOTION TO CONTINUE EVIDENTIARY HEARINGS AND NORTHSTAR'S REQUEST FOR EXTENSION TO FILE MOTION RE PROTECTIVE ORDER

On January 5, 2018, the Vermont Department of Public Service, the Agency of Natural Resources, and the Attorney General's Office (collectively, the "State Parties") advised the Vermont Public Utility Commission ("Commission") that the joint petitioners had developed an amended financial assurance proposal responding to concerns raised by other parties in this case and that the State Parties planned to discuss this proposal with the Joint Petitioners and counsel for all other interested parties.

On January 11, 2018, the State Parties filed a motion with the Commission to continue the evidentiary hearings scheduled for the weeks of January 22 and January 29 and to reschedule the public hearing scheduled for January 18, 2018. The State Parties report that follow-up discussions regarding the joint petitioners' amended proposal are ongoing. They request that the Commission "withdraw the notice of hearing for the scheduled January 22 start date" to allow negotiations to continue and to ensure that all interested parties have enough time to consider the proposal. They also state that representatives of the New England Coalition on Nuclear Pollution, Inc., the Windham Regional Commission, Conservation Law Foundation, Abenaki

Nation of Missisquoi, and Elnu Abenaki Tribe “have indicated that they favor additional time for those purposes.” If the requested continuance is granted, they propose to:

submit a status report, not later than January 25, 2018, which will (i) set forth the status of the negotiations related to the amended proposal, and (ii) propose a schedule for further proceedings in this Docket, including rescheduled technical hearings.

Finally, they recommend the rescheduling of the public hearing because a later public hearing will provide the public with a better opportunity “to hear about and offer comments on the version of Joint Petitioners' proposal that will be the subject of the subsequent proceedings, to the extent it differs from the current proposal.”

On January 12, 2018, NorthStar Decommissioning Holdings, LLC, NorthStar Nuclear Decommissioning Company, LLC, NorthStar Group Services, Inc., LVI Parent Corporation, NorthStar Group Holdings, LLC (collectively, “NorthStar”), Entergy Nuclear Vermont Investment Company, LLC, and Entergy Nuclear Operations, Inc. (together with NorthStar, the “Joint Petitioners”) filed a response to the motion of the State Parties opposing the motion. The Joint Petitioners seek a one-week postponement of start of the evidentiary hearings and request that the hearings commence on January 29 or 30, 2018, during what is the currently the second scheduled week of hearings. The Joint Petitioners also request that the Commission advise the parties about subsequent days in February the Commission will be available to continue and to complete the hearing. The Joint Petitioners also propose that the public hearing either be held as scheduled on January 18 or be rescheduled for January 29, 2018.

Also, on January 12, the Town of Vernon filed a response to the motion of the State Parties. The Town agrees with the Joint Petitioners that the Commission should eliminate the first scheduled week of evidentiary hearings and move the start of the hearings to January 29, 2018.

The Commission has reviewed and considered the motion of the State Parties and the responses of the Joint Petitioners and the Town of Vernon. It has decided to postpone the evidentiary hearings until a new schedule for such hearings is determined. It will also reschedule the public hearing and advises the parties as to a tentative new date for such hearing of February 8, 2018 (depending on site availability).

The Commission will also hold a status conference in this case in its hearing room in Montpelier at 10 A.M. on January 25, 2018, to discuss an amended schedule for the remainder of this case. The State Parties and the Joint Petitioners shall, separately or jointly, file a status report and a schedule proposal by noon on January 24, 2018, in advance of the status conference. Any other party may also file a status report and proposed schedule by that time and date.

For planning and scheduling purposes, the Commission wishes to advise the parties that the Commission expects that it will be available to conduct evidentiary hearings on February 15, 16, 20, 21, 22, and 23. If the parties believe at the time they file their status reports on January 24 that additional days for hearings will be necessary, the Commission will make available additional days for this purpose.

On January 12, 2018, NorthStar requested that the Commission extend the due date set in the Protective Order re Prefiled Evidence for the filing of a motion requesting that the Commission reconsider the removal of information from under seal. The due date for such a motion is currently January 16, and NorthStar requests that the deadline be extended until January 18, 2018. The Commission grants this request. In addition, the Commission modifies the requirement that the Department file revised redacted versions of its prefiled testimony and exhibits on January 18, 2018. Such filing shall not be due until two days after the Commission rules on any motions by the Joint Petitioners regarding the removal of information from under seal.

SO ORDERED.

Dated at Montpelier, Vermont, this 12th day of January, 2018.

_____))
 _____)) PUBLIC UTILITY
 _____))
Margaret Cheney))
 _____)) COMMISSION
 _____))
 _____)) OF VERMONT
Sarah Hofmann))
 _____))

OFFICE OF THE CLERK

Filed: January 12, 2018

Attest: *Holly R Anderson*
 Deputy Clerk of the Commission

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

PSB Case No. 8880 - SERVICE LIST

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