

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Petition of Entergy Nuclear Vermont Yankee, )  
LLC, and Entergy Nuclear Operations, Inc., for a )  
certificate of public good, pursuant to 30 V.S.A. § )  
248 and 10 V.S.A. § 6522, authorizing the )  
construction of a second independent spent fuel ) Docket No. 8300  
storage installation storage pad and related )  
improvements, including installation of a new )  
diesel generator with an electrical rating of )  
approximately 200 kW, at the Vermont Yankee )  
Nuclear Power Station in the Town of Vernon, )  
Vermont )

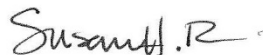
AVERMENT REGARDING ENTERGY VY PROPRIETARY BUSINESS DOCUMENTS

Pursuant to the Protective Agreement dated June 18, 2015 (“Protective Agreement”), and subject to the Protective Order to be issued in this docket, Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc. (together, “Entergy VY”), for themselves and on behalf of Entergy Corporation and its direct or indirect subsidiaries (collectively, “Affiliates” of Entergy VY), submit this Averment concerning documents and information that Entergy VY is filing under seal and for which Entergy VY seeks confidential treatment. Specifically, this Averment relates to proprietary business documents of Entergy VY that Entergy VY has been requested to produce in connection with the First Set of Information Requests of the Department of Public Service. The information required by the Protective Agreement and the Protective Order in this docket follows.

July 16, 2015

Respectfully submitted,

ENTERGY NUCLEAR VERMONT YANKEE, LLC, and  
ENTERGY NUCLEAR OPERATIONS, INC.



By: \_\_\_\_\_  
Susan Raimo

Confidential Documents and Information

**A. Identification of Document or Information**

- CONFIDENTIAL Attachment A.DPS:EN.1-5 (Preliminary construction cost estimates)
- CONFIDENTIAL Attachment A.DPS:EN.1-13 (Generator enclosure drawing)

**B. Degree of Confidential Information**

The documents to be produced as Section A are documents that would reveal Entergy VY or its Affiliates' business plans, costs and/or strategy regarding spent nuclear fuel management, particularly, confidential business and cost information for the design and construction of a second independent spent fuel storage installation storage pad and related improvements.

If released, Entergy VY and its Affiliates' current and potential suppliers and contractors would be provided with detailed information regarding Entergy VY or its Affiliates' costs to manage spent nuclear fuel and design and construct the second storage pad and related improvements. If provided with this information, Entergy VY's current and prospective suppliers and contractors would obtain a competitive bargaining advantage over Entergy VY and its Affiliates.

**C. Confidentiality Factors**

**i. Extent Information Known Outside Company**

The confidential information contained in the documents listed in Section A is sensitive, is held in confidence by Entergy VY and is not disclosed to individuals outside Entergy VY, its Affiliates, or its business partners under an obligation to hold such information in confidence. This information has not been shared with persons outside of Entergy VY or its Affiliates except for such agents, counsel and other individuals who are under an obligation to hold such information in confidence or have agreed to keep it confidential.

**ii. Extent Information Known by Employees and Independent Contractors**

See C(i) above.

**iii. Measures Taken to Guard Security**

Entergy VY and its Affiliates take a comprehensive approach under Entergy policies towards the safeguarding of confidential business and cost information, copyrighted-protected works, trademarks, patents, trade secrets, and other confidential or proprietary information. Entergy VY and its Affiliates' employees, agents, and contractors are required to protect such information assets against loss, damage, theft, unauthorized reproduction or duplication, unauthorized use, unauthorized disclosure, misappropriation, inappropriate disposal and mishandling.

Confidential Documents and Information

Specifically, the documents listed in Section A constitute “Confidential Information” under the Entergy policy on the protection of information. Entergy VY and its Affiliates’ employees, agents and contractors must protect Confidential Information from disclosure, either accidental or intentional, to all parties, both inside and outside Entergy VY and its Affiliates, and must take care in the access to, and storage, reproduction, control, transmission, and destruction of materials containing Confidential Information. In short, Entergy VY and its Affiliates strictly maintain the confidentiality of this information.

**iv. Value of Information to Entergy VY, Parent, Affiliates and Competitors**

The information described in B above has unique value to Entergy VY and to its Affiliates as confidential business-strategy and cost information. This information reflects a significant investment of specialized staff time and expertise and/or payments to outside contractors or experts providing their specialized expertise to Entergy VY or its Affiliates. This information could not be replicated by a competitor or outside contractor without incurring significant expense.

**v. Amount of Money or Effort to Develop Information**

See B and C(iv) above.

**vi. Ease/Difficulty in Acquiring/Duplicating Information**

Because confidential business strategy and project cost information is held in confidence by Entergy VY and its Affiliates and/or their agents, it would be very difficult if not impossible for a current or potential supplier or contractor to acquire the exact information, and a current or potential supplier or contractor would have to incur significant cost to develop such information or to procure comparable information from a third party.

**vii. Harm of Disclosure**

See B above.

**D. Time Period**

Entergy VY submits that the documents in Section A above should remain confidential throughout the proceeding and be returned to Entergy VY or destroyed thereafter. Disclosure of this information during or after Public Service Board proceedings could result in significant financial harm to Entergy VY and its Affiliates.

**E. Partial Disclosure or Redaction**

Entergy VY does not at this time believe that partial redaction is appropriate for the documents described in Section A above, given the confidentiality of those documents and the resources required to redact documents that are proprietary to Entergy VY. Entergy VY will, however, discuss with any Party that believes partial redaction may be appropriate whether any particular document can be partially disclosed in redacted form to exclude business plan and cost information.