

**STATE OF VERMONT
PUBLIC SERVICE BOARD**

Docket No. 8300

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)
construction of a second independent spent fuel)
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)

November 4, 2015

**THIRD SET OF INFORMATION REQUESTS SERVED UPON
ENTERGY NUCLEAR VERMONT YANKEE, LLC AND ENTERGY NUCLEAR
OPERATIONS, INC. BY THE DEPARTMENT OF PUBLIC SERVICE**

The Department of Public Service (the "Department" or "DPS") by and through Aaron Kisicki, Special Counsel, hereby serves the following Third Set of Information Requests upon Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (together "Entergy") in this matter in accordance with Public Service Board Rule 2.214 and V.R.C.P. 33 and 34, and requests that Entergy answer the requests in accordance with V.R.C.P. 33 and 34 and deliver its answers and all requested documents and materials to the Department's offices in Montpelier not later than **November 25, 2015**. Entergy is requested to provide two complete copies of all documents. FairPoint is also requested to provide a copy of its answers in electronic format, that is, Word, Excel, or other format readable by the Department, and to provide any spreadsheets in electronic format.

INSTRUCTIONS

1. Reproduce the request being responded to before the response per V.R.C.P. 33.
2. Responses to any and all Department requests that are contained herein or that may be filed later should be supplied to the Department as soon as they become available to Entergy. That is, Entergy should not hold answers to any requests for which they have responsive data, documents, etc. until responses to any or all other requests are compiled.
3. V.R.C.P. 33 requires the response to each request to be made under oath by a person

competent to testify concerning the response and all documents and exhibits produced as part of the response. With respect to each request, please state (1) the name(s) and title(s) of the person or persons responsible for preparing the response; and (2) the administrative unit which maintains the records being produced or maintains the data from which the answer was prepared; and (3) the date on which each question was answered.

4. Where information requested is not available in the precise form described in the question or is not available for all years (or other periods or classifications) indicated in a series of years (or other periods or classifications), please provide all information with respect to the subject matter of the question that can be identified in Entergy's work papers and files or that is otherwise available.
5. These requests shall be deemed continuing and must be supplemented in accordance with V.R.C.P. 26(e). Entergy is directed to change, supplement and correct its answers to conform to all information as it becomes available to Entergy, including the substitution of actual data for estimated data. Responses to requests for information covering a period not entirely in the past (or for which complete actual data are not yet available) should include all actual data available at that time and supplementary data as it becomes available.
6. Wherever responses include estimated information, include an explanation (or reference to a previous explanation) of the methods and calculations used to derive the estimates.
7. Some of the Department's requests may make particular reference to a portion of an Entergy filing. Notwithstanding this specific direction, these items should be understood to seek discovery of all information available to Entergy that is responsive to the questions stated.
8. "Identify," when used in connection with natural person(s) or legal entities, shall mean the full name and current business address of the person or entity.
9. "Document," as used herein, shall be construed as broadly as possible to include any and all means and media by which information can be recorded, transmitted, stored, retrieved or memorialized in any form, and shall also include all drafts, versions or copies which differ in any respect from the original. All spreadsheets provided must have all formulae intact and accessible.
10. "Petition," as used herein, means Petitioner's petition filed with the Vermont Public Service Board in this docket, unless the context indicates otherwise.

11. With respect to each document produced by Entergy, identify the person who prepared the document and the date on which the document was prepared.
12. If any interrogatory or request requires a response that Entergy believes to be privileged, please state the complete legal and factual basis for the claim of privilege, provide the information required by the 5/16/95 order in Docket No. 5771 and respond to the parts of the interrogatory or request as to which no privilege is asserted.
13. If any interrogatory or request is objected to in whole or in part, please describe the complete legal and factual basis for the objection, and respond to all parts of the interrogatory or request to the extent it is not objected to. If an objection is interposed as to any requested documents, please identify the document by author, title, date and recipient(s), and generally describe the nature and subject-matter of the document as well as the complete legal and factual basis for the objection.
14. To expedite the discovery process and the resolution of this docket, Entergy should contact the Department as soon as possible, and prior to the above deadline for response, if it seeks clarification on any of these information requests.
15. The Department reserves the right to submit additional information requests to Entergy.

INTERROGATORIES AND REQUESTS TO PRODUCE

DPS:EN.3-1: Please produce the term sheets, and any and all supporting or related documents, from the lending institutions being considered in the establishment of the two separate revolving credit facilities totaling approximately \$145 million discussed on pages 2-3 of Mr. Twomey's rebuttal testimony dated May 11, 2015 and pages 11-12 of Exhibit EN-TMT-6.

DPS:EN.3-2: Please confirm that recoveries from the U.S. Department of Energy ("DOE") for breach of its contractual obligation to remove spent nuclear fuel from the Vermont Yankee site will be the exclusive source used for repayment of borrowings on the two separate revolving credit facilities totaling approximately \$145 million.

- a. Please identify any and all credit facility repayment sources if DOE recoveries will not be the exclusive repayment source.

DPS:EN.3-3: Please identify and detail when Entergy expects to receive DOE recoveries as a result of its "Round 2" complaint, filed on April 24, 2014, to recover damages incurred after April 30, 2008.

DPS:EN.3-4: Please identify any and all funding sources Entergy will utilize, prior to anticipated DOE recovery, to make up for any difference in the approximately \$145 million available for second ISFSI pad construction, procurement of dry storage systems, and/or transfer of spent fuel to the ISFSI through the two above-identified credit facilities if the uncommitted facility with a capacity of \$85 million, or any portion thereof, is suspended or canceled.

DPS:EN.3-5: Page 11 of Mr. Thomas' rebuttal testimony dated October 21, 2015 states that locating an ISFSI west of the Vernon Substation would "create problems complying with the radiation dose limits for members of the public, 10 C.F.R. 72.104, and . . . the Vermont Department of Health's more stringent requirement in its Radiological Health Rule, Section 5-305(D)(1)(e)." Please produce the radiological dose engineering calculations made to support this conclusion, and any and all documents related to or in support of the calculations.

Dated at Montpelier, Vermont this Fourth day of November, 2015.

VERMONT DEPARTMENT OF PUBLIC SERVICE

By:



Aaron Kisicki
Special Counsel

cc: Docket No. 8300 Service List