

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Joint Petition of NorthStar Decommissioning)
Holdings, LLC, NorthStar Nuclear)
Decommissioning Company, LLC, NorthStar)
Group Services, Inc., LVI Parent Corp., NorthStar)
Group Holdings, LLC, Entergy Nuclear Vermont)
Investment Company, LLC, and Entergy Nuclear) Docket No. 8880
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)

JOINT STATUS UPDATE AND PROPOSED SCHEDULE

The Vermont Department of Public Service (“DPS”), the Agency of Natural Resources (“ANR”), and the Attorney General’s Office (“AGO”) (collectively, the “State Parties”) submit this joint filing together with 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. (collectively, “Entergy,” and together with NorthStar, the “Joint Petitioners”)¹, and the Windham Regional Commission (together with the State Parties and Joint Petitioners, the “Parties”). The Elnu Abenaki Tribe joins this draft status update and “Alternative One” of the proposed schedule, but at the time of this filing had not yet commented on “Alternative Two” reflected below, which was revised to accommodate other parties’ scheduling needs.

¹ Joint Petitioners join this filing, except insofar as it includes a deposition period, because Joint Petitioners believe that the extensive written and deposition discovery conducted to date, together with additional written discovery concerning the MOU and new prefiled testimony, is adequate, and additional depositions would be burdensome to Joint Petitioners. Alternatively, if the Commission is inclined to order depositions, Joint Petitioners believe that the Commission should not allow written discovery. In the event the Commission orders depositions, Joint Petitioners respectfully submit that such depositions should be limited in scope to the MOU and the prefiled testimony filed after the MOU is filed.

On February 16, 2018, the Parties, joined by others, requested that the Public Utility Commission (“Commission”) set a status conference for February 23, 2018 (instead of the previously requested February 21, 2018 date) to facilitate continued discussions on a negotiated resolution of the issues in this docket. The Commission entered a “Procedural Order Re: Next Status Update and Status Conference” on February 16, 2018, directing that an additional status update be filed on or before February 21, 2018, and setting the status conference for February 23, 2018. The Parties submit this joint status update to report on the progress of negotiations and to propose a schedule for further proceedings in this docket.

The Parties anticipate that a Memorandum of Understanding will be filed with the Commission by March 2, 2018, that addresses financial assurances and site restoration standards and that some or all of the parties participating in settlement negotiations will join. That agreement is close to but is not yet final, and a working session will take place on February 22, 2018. Due to the many schedules implicated by such an effort, an earlier meeting date was not possible.

Accordingly, the Parties propose two alternative schedules to govern further proceedings in this above-captioned docket: “Alternative One” in which all Parties support a Memorandum of Understanding; and “Alternative Two” in which some Parties do not join a Memorandum of Understanding and request additional process (e.g., additional written discovery). Each scheduling track is based on a proposed March 2, 2018, filing date for a Memorandum of Understanding.

1. Alternative One: MOU Proceeding with all parties having signed MOU

March 2, 2018	MOU filed with the Commission
March 12, 2018	Signatories to the MOU submit prefiled testimony
Between March 13 and March 23, 2018	Public Hearing
Beginning March 26, 2018	Evidentiary hearings in Montpelier, Vermont

2. Alternative Two: MOU Proceeding with only some parties having signed MOU

March 2, 2018	MOU filed with the Commission
March 9, 2018	Signatories to the MOU submit prefiled testimony
March 16, 2018	Written discovery on MOU and March prefiled testimony; Notices of Deposition (if needed)
March 21, 2018	Responses to CLF discovery requests
March 23, 2018	Responses to non-CLF discovery requests
March 27-April 2, 2018	Deposition period (if needed)
April 4, 2018	Non-signatories to the MOU submit prefiled testimony
Between April 5 and April 9, 2018	Public Hearing
April 10, 2018	Evidentiary hearings in Montpelier, Vermont

The Parties have consulted with counsel and representatives for other parties and intervenors that have participated in settlement discussions, and have attempted to accommodate scheduling needs of other parties. For example, the proposal for a different, earlier date for responses to

written discovery from the Conservation Law Foundation (“CLF”) is intended to accommodate CLF witness availability.

Dated at Montpelier, Vermont, this 21st day of February, 2018.

VERMONT DEPARTMENT OF PUBLIC SERVICE



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