

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 19-E-0730 - Joint Petition of Entergy Nuclear Indian Point 2, LLC; Entergy Nuclear Indian Point 3, LLC; and Nuclear Asset Management Company, LLC for a Declaratory Ruling Disclaiming Jurisdiction Over or Abstaining from Review of the Proposed Transfers or, in the Alternative, an Order Approving the Proposed Transfers Pursuant to Section 70 of the New York Public Service Law.

NOTICE OF PUBLIC STATEMENT HEARINGS

(Issued February 12, 2021)

Public comment is sought concerning a petition filed jointly by Entergy Nuclear Indian Point 2, LLC; Entergy Nuclear Indian Point 3, LLC; and Nuclear Asset Management Company, LLC (collectively Petitioners) under Section 70 of the New York Public Service Law (PSL) requesting that the Commission either disclaim jurisdiction over, or alternatively authorize, a proposed transfer of ownership of the Indian Point facilities, site, spent fuel, and waste storage facilities, together with certain other assets and liabilities (collectively Indian Point), from Entergy Corporation subsidiaries (Entergy) to Holtec International subsidiaries (Holtec).

Located in the Village of Buchanan in Westchester County, the Indian Point site includes, without limitation, three power reactors, three spent fuel pools, and various support facilities and infrastructure, generators, transformers, radioactive spent nuclear fuel, petroleum storage facilities, waste storage facilities, water intake and outflow facilities and structures, and piers.

Petitioners describe the proposed transfer transaction in their November 22, 2019 application, as supplemented by Holtec's December 20, 2019 Post Shutdown

Decommissioning Activities Report (PSDAR), which included a Site-Specific Decommissioning Cost Estimate (DCE) along with Cash Flow Analyses and a Master Summary Schedule. These submissions include Holtec's description and representation of its proposed site restoration, decommissioning, and spent fuel management activities at the site.

In this proceeding, the Petitioners collectively seek either (1) a declaratory order by the Commission disclaiming jurisdiction over or otherwise abstaining from review of the proposed transfer, or alternatively, (2) an order under PSL § 70 approving the transfer.

Pursuant to the State Administrative Procedure Act, a public notice of the Commission's consideration of the Petitioners' request and proposed transaction was published in the January 29, 2020 edition of the State Register (page 27- 28). As stated in that notice, the Commission may adopt, reject, or modify, in whole, in part, and/or with conditions, the action proposed and may resolve related matters. If the proposed transaction is approved, the

Petitioners intend to close the transaction in May 2021, following the retirement of the Indian Point Unit 3 reactor, and the Holtec limited liability corporation subsidiaries would thus assume responsibility for site restoration, decommissioning, and spent fuel management activities at Indian Point.

**PLEASE TAKE NOTICE** that virtual public statement hearings will be held before Presiding Officers Gregg Sayre and Maureen Leary, as follows:

**DATE: February 23, 2021**  
**TIME: 1:00 PM**

Electronic Access: [www.webex.com](http://www.webex.com)  
Event Number: 179 222 2688  
Password: Feb23PSH-1pm

Phone-Only Access: 518-549-0500  
Access Code: 179 222 2688

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**DATE: February 23, 2021**

**TIME: 6:00 PM**

Electronic Access: [www.webex.com](http://www.webex.com)  
Event Number: 179 579 8495  
Password: Feb23PSH-6pm

Phone-Only Access: 518-549-0500  
Access Code: 179 579 8495

Those wishing to comment on any aspect of this proceeding will have the opportunity to make a statement on the record at the virtual public statement hearings. **Any person wishing to make a public statement must register in advance of the hearings.**

**To register electronically:** Participants who would like to provide a statement and will log in to a hearing electronically may register to do so by visiting [www.webex.com](http://www.webex.com) **by 6:00 pm on February 22, 2021.** From the WebEx homepage, registrants should click "Join" at the top right-hand corner of the screen, enter the appropriate event number listed above, and provide all requested information.

On the date and time of the hearing, please visit [www.webex.com](http://www.webex.com) to log in to the hearing, click "Join" at the top right-hand corner of the screen, and input the appropriate event number for the hearing. You may need to refresh the WebEx home page if the "Join" button does not at first appear.

Participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require participants to enter their phone numbers. **To register by**

**phone:** Any participant who is not able

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to log in to a hearing electronically may participate by phone. Call-in participants wishing to provide a statement may register to do so by calling 1-800-342-3330 **by 6:00 pm on February 22, 2021**. They should follow the prompts to the appropriate hearing and provide the following information: first and last name, address, and phone number. On the date and time of the hearing, all call-in users should dial (518) 549-0500 and enter the relevant access code listed above.

All participants will be muted upon entry into the hearing. The Presiding Officers will call on each person who has asked to make a statement. The public statement hearings will be held open until everyone who has registered to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Time limits may be set for each speaker as necessary. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the hearings will be made for inclusion in the record of this case.

**To listen to the hearings:** Pre-registration is not required for any person who would like to listen to a hearing without making a statement. The hearings will be livestreamed on the internet and available for viewing on the Department of Public Service YouTube channel on the date and time listed above. To access that YouTube channel, visit the Department's website, [www.dps.ny.gov](http://www.dps.ny.gov), and click on the YouTube icon at the bottom of the homepage. In addition, any person without internet access may listen to the hearings by phone by calling **(518) 549-0500** and entering the applicable access code.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at (518) 474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711.

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Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this notice. **Other Ways to**

**Comment**

Those who prefer not to present comments at a public statement hearing may provide comments in several other ways. **Internet or Mail:** Go to [www.dps.ny.gov](http://www.dps.ny.gov), then click on "Search" and enter the case number in the "Search by Case Number" field, and then click on "Post Comments" at the top right of the page.

Comments may also be sent by email to the Secretary to the Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). Alternatively, comments may be mailed to the Hon.

Michelle L. Phillips, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. All written comments will become part of the record considered by the Commission and may be accessed on the Department of Public Service website by searching the case number as described above, and clicking on the "Public Comments" tab.

**Toll-Free Opinion Line:** You may call the Department of Public Service's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-State callers, 24-hours a day. These comments are not transcribed verbatim, but a summary is provided to the Commission.

All submitted comments should refer to "Case 19-E 0730." Any written comments should be submitted by 5:00 pm on Friday, February 26, 2021.

(SIGNED) MICHELLE L. PHILLIPS Secretary

