

## MEMORANDUM

To: Parties in PSB Docket No. 7404

From: Susan M. Hudson, Clerk of the Board

Re: Information Requests related to Memorandum of Understanding and Amended Petition for approval of a transfer of control of Entergy Nuclear Vermont Yankee, LLC ("EVY") and Entergy Nuclear Operations, Inc. ("ENO"), and related transactions

Date: November 20, 2009

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On October 8, 2009, EVY and ENO filed with the Public Service Board ("Board") a Memorandum of Understanding ("MOU"), dated October 6, 2009, between EVY, ENO, Enexus Energy Corporation ("Enexus," and collectively with EVY and ENO, "Petitioners") and the Vermont Department of Public Service ("DPS") under which the Petitioners and the DPS settled all issues between them in this docket.

EVY and ENO prefiled supplemental testimony of Mr. Dean Keller and Mr. Jay Thayer and related exhibits in support of the MOU on October 26, 2009. They also moved under Rule 2.204(G)(1) of the Board's Rules of Practice to amend the petition in this docket to add Enexus as a petitioner, which was not objected to by any party within the ten-day period prescribed by the rule. Finally, they requested that the Board issue its final decision and the certificates of public good sought by the Petitioners as expeditiously as possible given the settlement with all adverse parties in the docket and the existing evidentiary record.

Since the technical hearing last July, there have been substantial changes in the economic and financial environment as well as in the market for independent power. In addition, the Petitioners have made significant changes to the proposed transactions since the technical hearing. The Board needs to make an independent assessment of these matters as well as of the MOU.

To assist the Board in making its determinations and deciding what, if any, further proceedings are needed, attached are information requests addressed to the Petitioners and

to the DPS concerning the MOU, the revised transaction structure for the proposed spin-off of Enexus from Entergy Corporation and related matters. Full and candid responses to these information requests will assist the Board in fulfilling its independent statutory responsibilities under Title 30. The Board may have follow-up questions and requests after reviewing these responses.