

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7082

Petition of Entergy Nuclear Vermont Yankee,)
LLC and Entergy Nuclear Operations, Inc. for a)
certificate of public good to construct a dry fuel)
storage facility at the Vermont Yankee Nuclear)
Power Station, in Vernon, Vermont)

Order entered: 4/26/2006

CERTIFICATE OF PUBLIC GOOD
ISSUED PURSUANT TO 30 V.S.A. § 248

IT IS HEREBY CERTIFIED that the Public Service Board ("Board") of the State of Vermont on this date finds and adjudges that the issuance of a Certificate of Public Good ("Certificate") to Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc., to construct a dry fuel storage facility at the Vermont Yankee Nuclear Power Station ("Vermont Yankee") will promote the general good of the State of Vermont. This Certificate is subject to the following conditions:

1. Entergy VY shall comply with the terms and conditions of the Memorandum of Understanding between Entergy VY and the Department of Public Service dated June 21, 2005.
2. Entergy VY shall submit additional financial assurances, consistent with our Order in this Docket, to address the management of spent nuclear fuel at Vermont Yankee during the period after the facility is no longer operating until Entergy VY obtains full access to decommissioning funds.
3. The cumulative total amount of spent nuclear fuel stored at Vermont Yankee is limited to the amount derived from the operation of the facility up to, but not beyond, the end of the current operating license, March 21, 2012. This capacity may include on-site storage capacity to accommodate full core offload or any order or requirement of the Nuclear Regulatory Commission with respect to the fuel derived from these operations.

4. Entergy VY is authorized to store only spent nuclear fuel that is derived from the operation of Vermont Yankee. Entergy VY may not store spent nuclear fuel derived from any other source.

5. This Certificate of Public Good applies to the Vermont Yankee Station, regardless of who owns the facility, and the conditions of the Certificate of Public Good and the requirements of the accompanying Order in this Docket will apply to any future owner.

6. Compliance with the provisions of this Certificate of Public Good and the accompanying Order in this Docket shall not confer any expectation or entitlement to continued operation of Vermont Yankee following the expiration of its current operating license on March 21, 2012. Before Entergy VY, its successors or assigns, may operate the facility beyond that date, the owners must first obtain a Certificate of Public Good from the Board under Title 30.

7. Entergy VY shall perform and file with the Board a study addressing the stability of the bank adjacent to the proposed storage pad based upon the assumption that the Connecticut River experiences the probable maximum flood and an avulsion occurs at Vernon Neck.

8. Entergy VY shall undertake a new study of decommissioning costs for Vermont Yankee, and by the end of 2006, it shall file the study with the Board as well as evidence demonstrating Entergy VY's financial ability to store spent nuclear fuel at Vermont Yankee through decommissioning based on the assumption that decommissioning will not be completed until 2082.

9. Entergy VY shall revise its Spent Fuel Management Plan to address Entergy VY's plans for storage of the spent nuclear fuel on-site if the federal Department of Energy does not remove the fuel under its current schedule. The revised Plan should, at a minimum, consider storage through 2082. In addition, the Plan should be revised to reflect the commitments Entergy VY previously made concerning site decommissioning. Entergy VY shall submit the revised Plan within 60 days of the issuance of this Certificate of Public Good.

Dated at Montpelier, Vermont, this 26th day of April, 2006.

_____)	
)	PUBLIC SERVICE
)	
s/David C. Coen)	BOARD
)	
)	OF VERMONT
s/John D. Burke)	

OFFICE OF THE CLERK

FILED: April 26, 2006

ATTEST: s/Judith C. Whitney
Deputy Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: Clerk@psb.state.vt.us)