United States Nuclear Regulatory Commission Official Hearing Exhibit
In the Matter of: Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3)
ASLBP #: 07-858-03-LR-BD01
Docket #: 05000247 | 05000286
Exhibit #: NYS000053-00-BD01
Admitted: 10/15/2012
Rejected:
Other:
Identified: 10/15/2012
Withdrawn:
Stricken:

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

In re:

License Renewal Application Submitted by

Entergy Nuclear Indian Point 2, LLC,
Entergy Nuclear Indian Point 3, LLC, and
Entergy Nuclear Operations, Inc.

Docket Nos. 50-247-LR, 50-286-LR

ASLBP No. 07-858-03-LR-BD01

DPR-26, DPR-64

DECLARATION OF DAVID A. SCHLISSEL

David Schlissel, hereby declares under penalty of perjury that the following is true and correct:

1. I am a senior consultant at Synapse Energy Economics, Inc. (Synapse), an energy and economic consulting firm located in Cambridge, Massachusetts.

2. Synapse has been retained by the New York State Office of the Attorney General to provide expert services to the State of New York concerning the proposed relicensing of the two operating reactors located at the Indian Point Nuclear Power Station in the Village of Buchanan in Westchester County (Indian Point Unit 2 and Indian Point Unit 3). I have previously provided a copy of my CV to the Board as part of my November 2007 submission.

3. As noted in the State of New York's supplemental contention concerning energy alternatives, the State has taken aggressive actions to

implement its "15x15" plan to reduce electricity usage by 15 percent by 2015. For example, the New York State Public Service Commission issued an "Order Establishing Energy Efficiency Portfolio Standard and Appraising Programs" on June 23, 2008 and an "Order Approving "Fast Track" Utility-Administered Electric Energy Efficiency Programs with Modifications" on January 16, 2009.

4. In addition, as noted in the State's supplemental contention, the federal government recently has taken significant steps to foster greater energy efficiency, energy conservation, and renewable energy.

5. This Board may take judicial notice of the fact that the United States, including New York State, is experiencing a recession. This recession can be expected to lead to lower electricity sales and peak loads for at least this year and, perhaps, even longer. Therefore, the time frame within which the alternatives (*e.g.*, conservation, efficiency, renewables, transmission / interconnection enhancements, re-powering) would need to be implemented under the "no-action" alternative would be extended. These reduced energy sales and peak loads will delay and defer the need for the energy and capacity ~~from Indian Point~~ Units 2 and 3 if the operating licenses were not renewed.

6. Con Edison's sales of electricity were essentially flat between 2007 and 2008, growing at only 0.1 percent for the entire year. Con Edison's sales of electricity during the Fourth Quarter of 2008 were 2.6 percent below its sales during the same three month period in 2007.

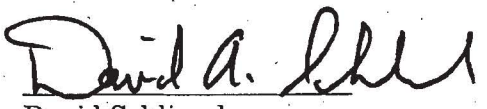
7. The sales of the Long Island Power Authority during 2009 are expected to be the same as its projected 2008 sales and as its actual 2007 sales.

8. I have reviewed the December 22, 2008 Draft Supplemental Environmental Impact Statement prepared by the NRC in this proceeding. The DSEIS ignores much of the information and analysis contained in my November 2007 Report. In addition, the alternatives analysis contained in Chapter 8 of the DSEIS significantly underestimates the impact of energy efficiency, energy conservation, renewable energy, facility re-powering, and transmission / interconnection enhancements in New York State and in Zones H, I, J, and K. In addition, the DSEIS's analysis of the combination of alternatives, *see* DSEIS at 8-65 to 8-66, fails to take into account other combinations of energy alternatives that are conservative and readily achievable under existing and identified New York State programs. I have identified two additional sets of combinations of energy alternatives and these additional combinations are set forth in the State's supplemental contention (at ¶ 21).

9. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated:

February 27, 2009
Cambridge, Massachusetts



David Schlissel