

7089

DOCKETED
USNRC

September 12, 1988

'88 SEP 16 P4:17

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
before the
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of _____
PUBLIC SERVICE COMPANY OF _____
NEW HAMPSHIRE, et al. _____
(Seabrook Station, Units 1 and 2) _____

Docket Nos. 50-443-OL-1
50-444-OL-1
On-site Emergency
Planning and Safety
Issues

APPLICANTS' REPLY TO INTERVENORS' "MOTION FOR ACCEPTANCE
OF ADDITIONAL REPLY TO COMMISSION ORDER
OF JULY 14, 1988 REGARDING ALAB-895
(PETITION FOR WAIVER OF RULES PRECLUDING
FINANCIAL QUALIFICATION INQUIRY)"

On August 26, 1988, intervenors SAPI, Town of Hampton,
the Attorney General for the Commonwealth of Massachusetts,
and the New England Coalition on Nuclear Pollution
(collectively "Intervenors") filed with the Commission a
document entitled "Motion for Acceptance of Additional Reply
to Commission Order of July 14, 1988 Regarding ALAB-895
(Petition For Waiver of Rules Precluding Financial
Qualification Inquiry)." In their motion, Intervenors
request "to be allowed to bring to the Commission's
attention . . . the attached 'Request for Financial
Information' regarding Seabrook Unit 1, filed by the NRC
staff under date of August 11, 1988."

8809190238 880912
PDR ADOCK 05000443
G PDR

D503

Although Intervenor's motion only asks for permission to submit the NRC Staff's questions to the Commission, the thrust of their pleading is devoted to an attempt by Intervenor's to psychoanalyze the Staff's motives for posing the questions, and to Intervenor's lengthy discourse on what they perceive to be the implications of what they diagnose as being the Staff's motives. Both Intervenor's diagnoses and their legal reasoning therefrom are groundless.

As Intervenor's themselves concede on page 3 of their motion, the Staff has an inquiry and oversight function entirely apart from the adjudicatory aspects of the licensing process. 10 C.F.R. § 2.102(a). The Staff's August 11, 1988 "Request for Financial Information" was just one of many oversight inquiries posed during the course of licensing Seabrook Station. It followed up upon a similar inquiry of August 17, 1987, which was specifically referenced in the request. Indeed, the Staff long ago indicated that it would continue periodically to make such inquiries.¹ Therefore Intervenor's conclusion, that the Staff's latest request for information represents a de facto shift in the Staff's

¹ NRC Staff Responses to SAPL Response to Appeal Board Memorandum and Order of January 29, 1988 Regarding Financial Qualification Rule and Massachusetts Attorney General James M. Shannon's Petition Under 10 C.F.R. § 2.758 For Waiver of or an Exception From the Public Utility Exemption From the Requirements of a Demonstration of Financial Qualification at 21 n.24 (March 29, 1988).

position as to whether Intervenors have made a prima facie case on financial qualification, is without foundation.

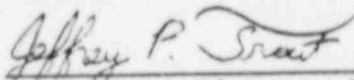
Intervenors then seem to argue that the fact that the Staff requested information in and of itself indicates that the questions are "material" within the meaning of Union of Concerned Scientists v. NRC, 735 F.2d 1437 (D.C. Cir. 1984), cert. denied sub nom. Arkansas Power & Light Co. v. Union of Concerned Scientists, 469 U.S. 1132 (1985). The assertion that any and every Staff oversight inquiry automatically triggers an adjudicatory hearing on the subject(s) of the inquiry is totally without support and completely foreign to the regulatory scheme. UCS does not so hold.

Applicants have no objection to Intervenor's request to bring to the Commission's attention the series of questions, posed by the Staff to Applicants, contained in the document proffered by Intervenors -- provided, however, that if the Commission is to receive the questions, it should also be given the answers.

Accordingly, and in that connection, Applicants hereby cross-move that the Commission also receive Applicants responses to the Staff's "Request for Financial Information." These responses are incorporated in NYN-88115, Letter of R.J. Harrison to U.S. Nuclear Regulatory Commission (August 31, 1988), the text and first six enclosures to which are attached hereto as Attachment A. Enclosures 7 to 18 to NYN-

88115, due to their bulk, are not attached hereto, but have been sent to the Staff, and are available to Intervenors in the public document room. In addition, as noted at page 9 of NYN-88115, on or before September 15, 1988, Applicants expect to file with the Staff a further response documenting contractual arrangements now in place that ensure adequate funding for the Seabrook project, including low-power operation, through at least December 31, 1989.

Respectfully submitted,



Thomas G. Dignan, Jr.
George H. Lewald
Jeffrey P. Trout
Ropes & Gray
225 Franklin Street
Boston, MA 02110
(617) 423-6100

Counsel for Applicants



Robert J. Harrison
President and Chief Executive Officer

Public Service of New Hampshire

August 31, 1988

U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Document Control Desk

- References:
- a) Facility Operating License NSF-56, Docket No. 50-443
 - b) USNRC letter dated August 1, 1988, "Financial Coverage for the Cost of Low Power Operation - Request for Additional Information", B. Boger to R. J. Harrison
 - c) USNRC letter dated August 17, 1987, "Recent Filings by Public Service Company of New Hampshire Before the Securities and Exchange Commission", B. A. Boger to R. J. Harrison
 - d) PSNH letter dated September 3, 1987, "Re: Request for Financial Information", NYN-87104 in Docket No. 50-443

Re: Request for Additional Information

Gentlemen:

In reference (b), the NRC requested clarification with regards to the applicants' ability to provide financial coverage for the cost of low power operation of Seabrook and the cost of any permanent shutdown of the facility and maintenance in a safe condition following low power operation.

Enclosed herewith are detailed responses to your questions which we have prepared to the best of our ability based upon the assumptions you specified or as indicated therein. Included with these responses are copies of the Joint Owners' interim financial statements and other reports which you requested.

If you need any further information or clarification, please contact the undersigned, or Edward A. Brown, President and CEO of New Hampshire Yankee Division.

Very truly yours,

R. J. Harrison

RJH:fc
Enclosures

cc: ASLB Service List

SERVICE LIST

Copies of the foregoing letter and enclosures 1 through 6 are being sent by federal express to the following individuals:

Alan S. Rosenthal, Chairman
Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory
Commission
East West Towers Building
4350 East West Highway
Bethesda, MD 20814

Thomas S. Moore
Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory
Commission
East West Towers Building
4350 East West Highway
Bethesda, MD 20814

Administrative Judge Sheldon J.
Wolfe, Esquire, Chairman
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
East West Towers Building
4350 East West Highway
Bethesda, MD 20814

Administrative Judge Emmeth A.
Luebke
4515 Willard Avenue
Chevy Chase, MD 20815

Dr. Jerry Harbour
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
East West Towers Building
4350 East West Highway
Bethesda, MD 20814

Howard A. Wilber
Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory
Commission
East West Towers Building
4350 East West Highway
Bethesda, MD 20814

Mr. Richard Donovan
FEMA, Region I
442 John W. McCormack Post
Office and Court House
Post Office Square
Boston, MA 02109

Robert Carrigg, Chairman
Board of Selectmen
Town Office
Atlantic Avenue
North Hampton, NH 03862

Diane Curran, Esquire
Andrea C. Farater, Esquire
Harmon & Weiss
Suite 430
2001 S Street, N.W.
Washington, DC 20009

Stephen E. Merrill, Esquire
Attorney General
George Dana Bisbee, Esquire
Assistant Attorney General
Office of the Attorney General
25 Capitol Street
Concord, NH 03301-6397

Sherwin E. Turk, Esquire
Office of General Counsel
U.S. Nuclear Regulatory
Commission
One White Flint North, 15th Fl.
11555 Rockville Pike
Rockville, MD 20852

Robert A. Backus, Esquire
Backus, Meyer & Solomon
116 Lowell Street
P.O. Box 516
Manchester, NH 03105

Philip Ahrens, Esquire
Assistant Attorney General
Department of the Attorney
General
Augusta, ME 04333

Paul McEachern, Esquire
Matthew T. Brock, Esquire
Shaines & McEachern
25 Maplewood Avenue
P.O. Box 360
Portsmouth, NH 03801

Mrs. Sandra Gavutis
Chairman, Board of Selectmen
RFD 1 - Box 1154
Route 107
Kensington, NH 03827

*Senator Gordon J. Humphrey
U.S. Senate
Washington, DC 20510
(Attn: Tom Burack)

*Senator Gordon J. Humphrey
One Eagle Square, Suite 507
Concord, NH 03301
(Attn: Herb Boynton)

Mr. Thomas F. Powers, III
Town Manager
Town of Exeter
10 Front Street
Exeter, NH 03833

Mr. J. P. Nadeau
Selectmen's Office
10 Central Road
Rye, NH 03870

Carol S. Sneider, Esquire
Assistant Attorney General
Department of the Attorney
General
One Ashburton Place, 19th Flr.
Boston, MA 02108

Mr. Calvin A. Canney
City Manager
City Hall
126 Daniel Street
Portsmouth, NH 03801

R. Scott Hill-Whilton, Esquire
Lagoulis, Clark, Hill-
Whilton & McGuire
79 State Street
Newburyport, MA 01950

Mr. Peter S. Matthews
Mayor
City Hall
Newburyport, MA 01950

Mr. William S. Lord
Board of Selectmen
Town Hall - Friend Street
Amesbury, MA 01913

H. Joseph Flynn, Esquire
Office of General Counsel
Federal Emergency Management
Agency
500 C Street, S.W.
Washington, DC 20472

Charles P. Graham, Esquire
Murphy and Graham
33 Low Street
Newburyport, MA 01950

Gary W. Holmes, Esquire
Holmes & Ells
47 Winnacunnet Road
Hampton, NH 03841

Richard A. Hampe, Esquire
Hampe and McNicholas
35 Pleasant Street
Concord, NH 03301

Judith H. Mizner, Esquire
79 State Street, 2nd Floor
Newburyport, MA 01950

Due to their bulk, enclosures 7 to 18 are only being sent to the NRC Staff. The documents are available in the public document room.

*U.S. First Class Mail

NRC Question 1:

Please provide detailed estimates of (a) the total cost to operate Seabrook Unit No. 1 at low power only (up to five percent); and (b) the total cost to permanently shutdown the facility after low power operation only and to maintain it in a safe condition, should that become necessary. Also provide an estimate of the cost to store and to dispose of the irradiated fuel assuming low power operation only. Describe in detail the assumptions underlying the estimates. Include assumptions as to power level, duration of operation, method of fuel storage and disposal and method of permanent shutdown and safe maintenance. In response to the above, the applicants (i.e., the Joint Owners) should update their response to the NRC letter dated August 17, 1987. This request for information is in addition to the reporting requirements of the NRC's decommissioning rule published in the Federal Register on June 27, 1988, (53 FR 24018).

Response to NRC Question 1:

This question is substantially identical to Question 1 as set forth in the NRC letter dated August 17, 1987 referred to above and the information with respect to parts (a) and (b) of the question supplied in response to that question is still generally valid, except for the current funding forecast and the monthly expenditures following a permanent shut-down decision. See PSNH letter to NRC, dated September 3, 1987, in Docket No. 50-443. The current funding forecast for the period July - December, 1988 is provided in response to NRC Question No. 3 below. The current estimate of monthly expenditures after permanent shut-down is \$4.8 million including \$1.9 million for property taxes.

In addition, the Project has developed the costs

necessary to designate the Seabrook site for completely unrestricted use after the shipment of the fuel. After the normal decontamination process, only a limited number of components would require special disposal (other than the fuel). These components include the reactor vessel, the core internals, incore instrumentation and rod control assemblies. The actual magnitude of the radioactivity external to the fuel would be low due to the component material and the limited power operation. Remote handling of the vessel and internals would not be required as these pieces of equipment would be classified as low level waste material.

The costs associated with the decontamination, removal, packing, shipping and burial of the rod control assemblies and the incore detectors is \$250,000.00. The costs to decontaminate, remove, pack, ship and bury the reactor vessel and internals, if necessary, would be \$3.8 million.

NRC Question 2:

Please provide a detailed statement of the sources of funds for covering total costs of low power operations and total costs of permanent shutdown of the facility and maintenance as a safe condition after a period of low power operations only. Indicate the assumptions underlying the projection of each source of funds.

Response to NRC Question 2:

Funding of Seabrook Project, for the total costs of both on-going operations and for any permanent shutdown of the facility, is the pro rata, several responsibility of the several utilities (the "Joint Owners") which are participants under the Agreement for Joint Ownership, Construction and Operation of New Hampshire Nuclear Units, dated as of May 1, 1973, as amended (the "Joint Ownership Agreement"). The Ownership Shares of these utilities are shown in Attachment 1. Pursuant to the Joint Ownership Agreement, the mechanics of establishing the level of this funding involve quarterly approvals by the Joint Owners collectively of itemized cash budgets for six months' periods on a revolving basis in accordance with the procedures set forth therein. The funding level to meet the budget forecast is subsequently determined on a monthly basis by the Joint Owners Executive Committee or the Joint Owners. Once a funding level has been established, each Joint Owner provides its Ownership Share of the budgeted operating expenses of the Seabrook Project.

Invoices are rendered as required and payments are due monthly. Each Joint Owner raises such funds as part of its normal financial sources.

It has been the policy of the Seabrook Project since the summer of 1984 to maintain a positive cash balance in the Project account from which its monthly obligations are paid. This policy was designed to assure additional flexibility should fluctuations in monthly cash requirements or delays in receipt of Joint Owner payments occur. The Project account, as supplemented by the Joint Owner monthly payments, is the source for meeting Seabrook Station's cash operating requirements. At January 1, 1988 the Project account had a balance of approximately \$21.8 million, or about two months' cash needs.

The implicit assumption underlying this discussion is that each Joint Owner in the final analysis will perform its legal obligations as a party to the Joint Ownership Agreement and a licensee of the NRC. Experience has shown that routine performance of legal obligations by a Joint Owner may be affected by other circumstances. Currently, two of the Joint Owners are in default under the Joint Ownership Agreement and one is in arrears. (See Responses to NRC Question 3, 4 and 5 for further details.) As indicated in these responses, drawings from the Project account and other contingency arrangements have been successfully implemented in those

instances to deal with the interruptions of payments from these individual Joint Owners. As indicated in the Response to NRC Question 4 below, another contingency arrangement has been put in place to deal with the current MMWEC situation. Another Joint Owner, despite being in bankruptcy proceedings, remains current on its obligations under the Joint Ownership Agreement. (See Response to NRC Question 6). However, it should be emphasized that in all instances of failure to comply with the terms of the Joint Ownership Agreement the Joint Owners reserve their rights to seek legal redress and enforcement of the terms of that agreement.

NRC Question 3:

Provide copies of the latest funding forecast approved by the joint owners. Also provide copies of the funding performance for the most recent six months.

Response to NRC Question 3:

Enclosed herewith as Attachment 2 (2 pages) is the Funding Forecast for Seabrook Station for the six months period, July through December, 1988, as approved by the Joint Owners Executive Committee. This schedule provides a breakdown by major categories of the cash expenditures anticipated during each month of that period.

Enclosed herewith is Attachment 3 (1 page) is a schedule entitled "Uncollected Participant Funding Requests." This shows the status through August, 1988 of the two Joint Owners which are presently in default on payment of their funding obligations under the Joint Ownership Agreement and one Joint Owner in arrears.

Enclosed herewith as Attachment 4 (3 pages) is a schedule entitled "Analysis of Funding Performance: Billings v. Funding, Year to Date 1988." The first page of this schedule shows the total billings by month and the total participant payments and supplementary advance payments received by month. The discrepancy between total billings and total receipts was funded from the balance remaining in the Project account or supplementary advance payments (see

Response to NRC Question 2). The second page of this schedule shows the detailed breakdown by Joint Owner of the monthly participant payments. The third page of this schedule shows the detailed breakdown of the supplementary advance payments by contributor and in May reflects the partial reimbursement of some of these advances by New Hampshire Electric Cooperative, Inc. which in that month brought itself current again after a period of financial strictures.

NRC Question 4:

Provide a detailed statement of the joint owners' plan for covering the 11.6 percent share of Seabrook costs that is no longer being paid by Massachusetts Municipal Wholesale Electric Company (MMWEC). Identify any new or prospective owner(s) or other participant(s) in the project and describe in detail the arrangements for their participation and for covering the share of costs formerly paid by MMWEC. Describe how MMWEC's share of costs will be covered by the time low power operation is authorized. (For this purpose assume that low power authorization is received after September 1, 1988.)

Response to NRC Question 4:

On June 1, 1988 when MMWEC announced its intended "withdrawal from the Seabrook Station nuclear project", and that it would make no further payments to the Seabrook Project and that it would seek an agreement "to take MMWEC out of the project in a financially responsible manner", the Project account referred to above in Response to NRC Question 2 contained a positive balance in MMWEC's favor sufficient to cover MMWEC's share of the anticipated billings for the month of June and part of July. On July 13, 1988, Northeast Utilities ("NU"), the registered holding company parent of The Connecticut Light and Power Company, one of the Joint Owners, announced that it would advance sufficient funds in lieu of the MMWEC obligation to permit the Project to meet its obligation through August, 1988. On July 20, 1988 \$2,249,000 was advanced to the Project by NU, which will cover MMWEC's share to September 9, 1988.

On August 30, 1988 NU announced that it had concluded arrangements under which it will provide further funding "for the [MMWEC] portion of the Seabrook Nuclear Project that is subject to default" through November 30, 1988 (see Attachment 5). This will permit the Project to "cover" the MMWEC share through that period.

The status of MMWEC's participation in the Project has been the subject of active negotiation for some time. MMWEC's unilateral announcement on June 1 that it was ceasing further payments complicated these negotiations. As indicated, the short-term financial consequences of that announcement are being covered by NU's payments through November 30, 1988. In addition, The United Illuminating Company has assembled investors who intend to cover the longer-term consequences of the MMWEC default. These investors will provide the Project up to \$30 million of additional funds as MMWEC's payments fall due between November 30, 1988 and December 31, 1989, which amount exceeds MMWEC's share of the presently estimated Project billings during that period. The contracts to document this arrangement are in preparation and expected to be completed on or before September 15, 1988. A further response which provides the requested details of these arrangements will be filed at that time.

NRC Question 5:

Please identify any other joint owner(s) that is in default, (or that is expected to be in default in the next twelve months) or in arrears on its Seabrook payments. Describe the circumstances of the default (or potential default) or the arrearage and indicate how the unpaid share is being (or will be) covered. Describe the plan for coverage of the share through low power operation up until issuance of a full power license. (For this purpose, assume a full power license is issued in the summer, 1989.)

Response to NRC Question 5:

As indicated in prior responses, there are currently two Joint Owners, other than MMWEC, which are in default or in arrears on their Seabrook payments:

As a result of severe financial difficulties, Vermont Electric Generation and Transmission Cooperative, Inc. (VEG&T), the owner of a 0.41259% share, ceased funding its share of the project costs in February, 1986 and through August, 1988 is in default for an aggregate of \$2,445,811. VEG&T's share of the projected costs for the next twelve months (through August, 1989) is estimated to be approximately \$663,000. The deficiency resulting from VEG&T's failure to pay has to date been covered by supplementary advance payments received from others (see page 3 of Attachment 4) and it is anticipated that this arrangement will continue during the next twelve months.

New Hampshire Electric Cooperative, Inc. (NH Coop), the owner of a 2.17391% share, is currently in arrears on its

Seabrook payments for an aggregate of \$196,925. This amount has been accumulating since February, 1986 as the result of an on-going dispute with respect to certain project costs for public information expenditures. During that same period NH Coop paid the balance of its billings which amounted to approximately \$5.3 million. Negotiations are continuing between the Project and NH Corp to resolve the arrearage. These expenditures are being paid out of NH Coop's portion of the cash balance in the Project account remaining from earlier advance payments received from NH Coop.

NRC Question 6:

Describe the effect of bankruptcy on PSNH's ability to cover its share of Seabrook costs both currently and through a period of low power operation. Please summarize any pronouncements of the Bankruptcy Court that affect PSNH's ability to pay its total share of Seabrook costs both currently and through low power operation up until issuance of a full power license. Indicate if PSNH is up-to-date on payment of its share of costs to the project and explain how PSNH expects to continue to be up-to-date on its payments through low power operation up until issuance of a full power license. (For these purposes, assume a full power license is issued in the summer 1989.)

Response to NRC Question 6:

The bankruptcy proceeding under Chapter 11 was initiated by PSNH on January 28, 1988. Since that date, PSNH has operated its business as debtor in possession. The pre-commercial activities of Seabrook Station have continued without interruption. But for the delays in payment of PSNH's share of some prepetition indebtedness, there has been no delinquency in meeting the Project's payment obligations.

PSNH has met each Project bill on time and in full since the filing date and is currently up-to-date on its payments due to the Project. PSNH expects to continue to meet its Seabrook obligations through low power operation up until issuance of a full power license from the revenues generated by its on-going utility operations. PSNH's net revenues have, in fact, increased since the bankruptcy filing and are expected to be more than adequate to meet PSNH's share of the

obligations enumerated in Response to NRC Question 1 above.

Any effect the bankruptcy proceeding itself has had on PSNH's ability to cover its share of Seabrook costs has been positive, and it is anticipated that this will continue in the future, including during low power testing. Filing the bankruptcy petition in effect "froze" payment of many prepetition debts, thus keeping funds available to meet Seabrook costs and the bankruptcy court will allow PSNH to emerge from bankruptcy only under a plan which provides means to satisfy all PSNH obligations, including those related to Seabrook, on a going forward basis. While it is possible that creditors or other parties involved in the proceeding may attempt to use the Bankruptcy Court as a forum to assail continued funding or low power testing, such action would face substantial legal hurdles and determined resistance by PSNH and the other Joint Owners. PSNH believes that such action would have a low chance of success.

Actions and pronouncements of the Bankruptcy Court have been consistently encouraging in this regard. For example, as alluded to above, on June 3 the Court allowed PSNH to use monies contributed prepetition to pay its share of vendor costs and ordered the bank holding deposits of Project funds to release all such monies contributed by PSNH. On June 9, the Court rejected the claim of certain creditors for payments during the bankruptcy that may, as a practical

matter, have impinged PSNH's ability to continue funding. Very early in the case, the Court rejected proposals for open-ended discovery and in-court evidentiary proceedings regarding Seabrook. In addition, the Court has granted PSNH additional time to attempt to negotiate its way out of bankruptcy, thereby refusing to allow other parties the chance to force a reorganization that did not include continued funding.

The Bankruptcy Court has also indicated that it does not see itself as the forum in which determinations about whether or when Seabrook should go forward should be made. At the June 9 hearing referred to above, the Court stated that "if Seabrook is lost, it is not lost because of uncertainties or attrition or myths or anything else relating to confusion about what is going on in the Bankruptcy Court, but it is lost because of those things that are the bailiwick of these other agencies that protect public health and safety. That, I think, is vital here." Transcript, June 9, 1988 pp. 143-144. Cf. Order Denying the Third Mortgagees' Motion for Adequate Protection, dated July 20, 1988, footnote on page 9, (see Attachment 6).

NRC Question 7:

Describe the status of efforts to spin off New Hampshire Yankee Electric Corporation as an independent company. Explain any efforts or responses to the above question if the reorganization were to be accomplished.

Response to NRC Question 7:

In the summer of 1984 the Joint Owners decided to create a new corporate entity which would be owned by them and which would become their managing agent under the Joint Ownership Agreement with responsibility for completing and operating Seabrook Station. Pending receipt of the regulatory approvals needed for such a restructuring, these functions of managing agent were to be, and have been, performed on an interim basis by the establishment at that time of New Hampshire Yankee Division (NHYP) of Public Service Company of New Hampshire (PSNH). This interim function of NHYP and the subsequent transition to NHYEC was fully disclosed to the Commission at a meeting on August 9, 1984 and subsequently confirmed in writing. See "Summary of Management Meeting between PSNH and NRC" issued by the NRC on August 16, 1984 in Docket No. 50-443; and PSNH Letter to NRC, dated August 31, 1984, SBN-707 in Docket Nos. 50-443 and 50-444.

As explained at that time, the purpose of the management restructuring is to create a management organization for Seabrook Station which is independent and not directly

affected by the financial or political pressures affecting PSNH. A primary consideration is the transfer of all operating personnel from their present status as employees of PSNH to become employees of the new entity. The restructuring would in no way modify the existing financial support for the project as evidenced by the commitments of the Joint Owners under the Joint Ownership Agreement.

Implementation of this new structure was immediately started. A New Hampshire corporation, New Hampshire Yankee Electric Corporation (NHYEC), was organized for that purpose. Regulatory approval for the organization of NHYEC and for the sale of its stock to the Joint Owners in proportion to their Ownership Shares of Seabrook Station was obtained from the New Hampshire Public Utilities Commission in October, 1984 and June, 1985, respectively. Proceedings for other required regulatory approvals were initiated before the Massachusetts Department of Public Utilities (Mass DPU) and the Securities and Exchange Commission (SEC).

Since the Mass DPU has failed to date to take any action on the proceeding before it, the Joint Owners have recently revised their approach. It is now contemplated that, after receipt of the requisite SEC approval, those Joint Owners which are not subject to Mass DPU jurisdiction will acquire stock of NHYEC, permitting NHYEC to commence business operations and that the Massachusetts Joint Owners will

subsequently acquire NHYEC stock if and when Massachusetts DPU approval is received. When NHYEC is authorized to conduct business, the Joint Owners and NHYEC will file an operating license amendment application with the NRC for approval of the actual transition of responsibilities from NHYD to NYHEC. This license amendment would document that all functions now being performed by NHYD would be transferred to NHYEC. NHYEC would be designated as a licensee of Seabrook Station "technically qualified" to operate the unit. The personnel of NHYD would be transferred to NHYEC, but their organizational structure would not change. The amendment would in no way alter the obligations, the ownership interests, or the assets of the existing twelve Joint Owners as NRC licensees.

On August 3, 1988 an amended application was filed with the SEC describing this revised approach and requesting SEC approval of the NHYEC stock acquisition by those Joint Owners subject to the Public Utility Holding Company Act of 1935. See SEC File No. 70-7214. A Notice of Intention relating to the transaction was also filed by PSNH with the Bankruptcy Court. (See Response to NRC Question 6 above.) Timing of favorable SEC action is uncertain. The NRC filing would be expected to promptly follow after SEC approval and requisite action by the Court.

Implementation of the NHYEC reorganization of the

project management would not have any impact upon the foregoing responses. The reorganization is a management consolidation and restructuring which is designed to improve efficiency and effective management control. It in no way alters the underlying ownership interests and financial obligations of the Joint Owners of Seabrook Station which are set forth in the Joint Ownership Agreement. That document remains the legally-binding contract which defines the rights and obligations of the parties thereto.

NRC Question 8:

Provide the following for each joint owner:

- a. Copies of the most recent published, interim financial statements (and interim report to stockholders for the investor-owned utilities).
 - b. Copies of the 1987 SEC Form 10-K, the most recent SEC Form 10-Q and the most recent SEC Form 8-K, for the joint owners that file these reports.
-

Response to NRC Question 8:

Enclosed herewith are the requested materials for each Joint Owner as follows:

1. Public Service Company of New Hampshire (Attachment 7):
 - Quarterly Report to Shareowners, dated June 8, 1988
 - Annual Report on Form 10-K for 1987
 - Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
 - Current Report on Form 8-K, dated June 30, 1988
2. The United Illuminating Company (Attachment 8):
 - Annual Report on Form 10-K for 1987
 - Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
3. EUA Power Corporation (Attachment 9):
 - Annual Report on Form 10-K for 1987
 - Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
(See also Attachment 14 below.)
4. Massachusetts Municipal Wholesale Electric Company (Attachment 10):
 - 1987 Annual Report
 - Financial Statements with Supplementary Information

5. New England Power Company (Attachment 11):
 - Annual Report on Form 10-K for 1987
 - Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
 - Current Report on Form 8-K, dated June 6, 1988
 - New England Electric System (NEES) Annual Report on Form 10-K for 1987
 - NEES Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
 - NEES Current Report on Form 8-K, dated June 6, 1988

6. The Connecticut Light and Power Company (Attachment 12):
 - Annual Report on Form 10-K of Northeast Utilities (NU) and subsidiaries
 - Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
 - Current Report on Form 8-K, dated June 22, 1988
 - NU Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
 - NU Current Report on Form 8-K, dated June 22, 1988

7. Canal Electric Company (Attachment 13):
 - Annual Report on Form 10-K for 1987
 - Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
 - Current Report on Form 8-K, dated March 30, 1988

8. Montaup Electric Company (Attachment 14):
 - Annual Report on Form 10-K for 1987 of Eastern Utilities Associates (EUA)
 - 1987 Financial Supplement
 - EUA Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
 - Annual Report on Form 10-K for 1987 of Eastern Edison Company (EEC)
 - EEC Quarterly Report on Form 10-Q, for quarter ended June 30, 1988
 - Annual Report on Form 10-K for 1987 of Blackstone Valley Electric Company (BVEC)
 - BVEC Quarterly Report on Form 10-Q for quarter ended June 30, 1988

(See also Attachment 9 above.)

9. New Hampshire Electric Cooperative, Inc.
(Attachment 15):
 - Financial and Statistical Report, REA Form 7, month ending December 31, 1987
 - Financial and Statistical Report, REA Form 7, month ending June 30, 1988

10. Vermont Electric Generation and Transmission Cooperative, Inc. (Attachment 16):
 - Operating Report - Financial, REA Form 12a, for month ending December 31, 1987 amended
 - Financial and Statistical Report, REA Form 7, for month ending December 31, 1987, amended per 1987 audit statement
 - Financial Statements, December 31, 1987 and 1986, dated March 4, 1988
 - Financial Statements, December 31, 1987 and 1986, dated March 4, 1988 with note dated March 16, 1988

11. Taunton Municipal Lighting Plant (Attachment 17):
 - Annual Report 1987
 - Financial Statements and Auditor's Report, December 31, 1987 and 1986
 - Return of the City of Taunton to the Department of Public Utilities for 1987

12. Hudson Light and Power Department (Attachment 18):
 - Return of the Town of Hudson Light and Power Department to the Department of Public Utilities for 1987

Attachment 1 to NYN-88115

Seabrook Joint Owners

<u>Owner</u>	<u>Ownership Shares</u>
Public Service Company of New Hampshire	35.56942%
The United Illuminating Company	17.50000
EUA Power Corporation	12.13240
Massachusetts Municipal Wholesale Electric Company	11.59340
New England Power Company	9.95766
The Connecticut Light and Power Company	4.05985
Canal Electric Company	3.52317
Montaup Electric Company	2.89989
New Hampshire Electric Cooperative, Inc.	2.17391
Vermont Electric Generation and Transmission Cooperative, Inc.	0.41259
Taunton Municipal Lighting Plant	0.10034
Hudson Light and Power Department	<u>0.07737</u>
	100.00000%

Seabrook Station Unit 1 And Common
Funding Forecast
- Six Months -

	Jul 88	Aug 88	Sep 88	Oct 88	Nov 88	Dec 88	Six Month TOTAL
FUNDING FORECAST							
PRE-COMMERCIAL/CAPITAL (Excl. E-Plan)	9,018.1	10,295.9	8,491.4	10,880.4*	9,038.0	20,241.9	67,965.7
EMERGENCY PLANNING & COMMUNITY RELATIONS	2,565.6	2,701.1	1,699.1	1,840.7	2,029.6	2,340.7	13,176.8
OPERATIONS & MAINTENANCE	27.3	29.7	25.9	27.1	33.1	25.1	168.2
NUCLEAR FUEL	18.0	1.0	1.0	18.0	1.0	1.0	40.0
TOTAL	11,629.0	13,027.7	10,217.4	12,766.2	11,101.7	22,608.7	81,350.7

(\$ Thousands)

* Note: \$1.761 Million Addition for NHY Portion of PSNH Early Retirement Program.
 To Be Paid in October 1988.

Seabrook Station Unit 2
Funding Forecast
- Six Months -

	Jul 88	Aug 88	Sep 88	Oct 88	Nov 88	Dec 88	Six Month TOTAL
UNIT 2 COSTS	113.7	121.0	107.5	122.2	117.5	127.5	709.4
EXPENDITURE FORECAST	113.7	121.0	107.5	122.2	117.5	127.5	709.4

(\$ Thousands)

SEABROOK STATION
UNCOLLECTED PARTICIPANT FUNDING REQUESTS (1)

<u>SEABROOK PARTICIPANT</u>	<u>ARREARS</u>	<u>DEFAULT</u>	<u>TOTAL</u>
New Hampshire Electric Cooperative	\$ 196,925.00		\$ 196,925.00
Massachusetts Municipal Wholesale Electric Company		\$5,030,772.00	5,030,772.00
Vermont Electric Generation and Transmission Cooperative, Inc.		2,445,811.00	2,445,811.00
	<u>\$ 196,925.00</u>	<u>\$7,476,583.00</u>	<u>\$7,673,508.00</u>

NOTE

(1) Outstanding balances represent funding requirements through August, 1988.

August 18, 1988

SEABROOK STATION
ANALYSIS OF FUNDING PERFORMANCE: BILLINGS VS. FUNDING
YEAR TO DATE 1988

MONTH	FUNDING ANALYSIS			
	DISBURSING AGENT BILLINGS	PARTICIPANT PAYMENTS (See Page 2)	SUPPLEMENTARY ADVANCE PAYMENTS (See Page 3)	TOTAL
JANUARY	\$ 19,096,900.00	\$ 18,602,958.00	\$ 142,000.00	\$ 18,744,958.00
FEBRUARY	12,363,900.00	12,044,108.00	263,000.00	12,307,108.00
MARCH	11,918,000.00	11,609,741.00	260,121.08	11,869,862.08
APRIL	11,565,300.00	11,266,164.00	647,000.00	11,913,164.00
MAY	12,122,400.00	13,223,342.00	<956,607.24>	12,266,734.76
JUNE	18,502,000.00	16,280,653.00	60,000.00	16,340,653.00
JULY	11,742,700.00	10,332,871.00	2,279,000.00	12,611,871.00
AUGUST	13,148,700.00	11,570,068.00	65,000.00	11,635,068.00
<u>TOTAL</u>	<u>\$110,459,900.00</u>	<u>\$104,929,905.00</u>	<u>\$2,759,513.84</u>	<u>\$107,689,418.84</u>

August 18, 1988

Page 1 of 3

SEABROOK STATION
 FUNDING PERFORMANCE FROM EXECUTIVE COMMITTEE BILLINGS (1)
 YEAR TO DATE 1988

<u>SEABROOK PARTICIPANT</u>	<u>JANUARY</u>	<u>FEBRUARY</u>	<u>MARCH</u>	<u>APRIL</u>	<u>MAY</u>	<u>JUNE</u>	<u>JULY</u>	<u>AUGUST</u>	<u>TOTAL</u>
CANAL ELECTRIC COMPANY	\$ 672,816	\$ 435,601	\$ 419,891	\$ 407,465	\$ 427,093	\$ 651,857	\$ 413,715	\$ 463,251	\$ 3,891,68
CONNECTICUT LIGHT AND POWER COMPANY	775,305	31,956	483,853	469,534	492,151	751,153	476,736	533,817	4,484,50
EIA POWER CORPORATION	2,316,913	1,500,038	1,445,960	1,403,149	1,470,739	2,244,738	1,424,671	1,595,253	13,401,44
HUDSON LIGHT AND POWER DEPARTMENT	14,775	9,566	9,221	8,968	9,379	14,315	9,085	10,173	85,46
MASSACHUSETTS MUNICIPAL WHOLESALE ELECTRIC COMPANY (2)	2,213,979	1,433,396	1,381,701	1,340,811	1,405,398				7,775,28
MONTAUP ELECTRIC COMPANY	553,789	358,539	365,609	335,381	351,536	536,538	340,525	381,298	3,203,21
NEW ENGLAND POWER COMPANY	1,901,604	1,231,155	1,186,754	1,151,633	1,207,107	1,842,366	1,169,298	1,309,303	10,999,22
NEW HAMPSHIRE ELECTRIC COOPERATIVE (3)					1,414,488	402,217	255,276	285,841	2,357,82
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE	6,792,657	4,397,768	4,239,163	4,113,710	4,311,867	6,581,054	4,176,810	4,676,916	39,289,94
TAINTON MUNICIPAL LIGHTING PLANT	19,162	12,406	11,959	11,605	12,164	18,565	11,783	13,193	110,83
UNITED ILLUMINATING COMPANY	3,341,958	2,163,683	2,085,650	2,023,928	2,121,420	3,237,850	2,054,972	2,301,023	19,330,48
VERMONT ELECTRICAL GENERATION AND TRANSMISSION COOPERATIVE, INC. (4)									

\$18,602,958 \$12,064,108 \$11,609,741 \$11,266,164 \$13,223,342 \$16,280,653 \$10,332,871 \$11,570,068 \$104,929,90

NOTES:

- (1) Funding performance is listed for the month funded, actual receipt of payment may differ slightly.
- (2) NEMEC ceased funding as of June 1988.
- (3) New Hampshire Electric Cooperative recommenced payments as of May 1988 including funds to reimburse contributors for supplementary advance payments.
- (4) Vermont Electric Generation and Transmission Cooperative, Inc. ceased funding as of February 1986.

SEABROOK STATION
 FUNDING PERFORMANCE FROM SUPPLEMENTARY ADVANCE PAYMENTS (1)
 YEAR TO DATE 1988

CONTRIBUTOR	JANUARY	FEBRUARY	MARCH	APRIL	MAY (2)	JUNE	JULY	AUGUST	TOTAL	INCEPTION TO DATE
CANAL ELECTRIC COMPANY	\$3,000.00	\$5,000.00	\$10,283.31		\$5,000.00	\$4,000.00	\$2,000.00	\$5,000.00	\$ 34,283.31	\$123,882
CONNECTICUT LIGHT AND POWER COMPANY	3,000.00	5,000.00	4,000.00		14,392.76	5,000.00	2,000.00	5,000.00	38,392.76	147,540
CONNECTICUT LIGHT AND POWER COMPANY (3)							2,249,000.00		2,249,000.00	2,249,000
EASTERN UTILITIES ASSOCIATES	56,000.00	118,000.00	103,575.65	266,000.00	<445,500.00>	18,000.00	9,000.00	19,000.00	144,075.65	337,434
NEW ENGLAND ELECTRIC SYSTEM	8,000.00	13,000.00	30,585.07	72,000.00	< 58,000.00>	12,000.00	6,000.00	13,000.00	96,585.07	358,758
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE	27,000.00								27,000.00	976,341
UNITED ILLUMINATING COMPANY	45,000.00	122,000.00	111,677.05	309,000.00	<472,500.00>	21,000.00	11,000.00	23,000.00	170,177.05	638,057
	<u>\$142,000.00</u>	<u>\$263,000.00</u>	<u>\$260,121.08</u>	<u>\$647,000.00</u>	<u>\$<956,607.24></u>	<u>\$60,000.00</u>	<u>\$2,279,000.00</u>	<u>\$65,000.00</u>	<u>\$2,759,513.84</u>	<u>\$4,831,015</u>

NOTES:

- (1) Schedule of payment represents contributions to offset Joint Owners in default.
- (2) Certain credits in May reflect New Hampshire Electric Cooperative reimbursement to applicable contributors.
- (3) Contribution on behalf of Connecticut Light and Power Company is for payments it is making in lieu of NHPEC.

PR NEWSWIRE

111 100th Street, Boston, MA 02109 617-482-5355

**NORTHEAST UTILITIES IN PACT
ON SEABROOK COSTS**

HARTFORD, CONN. -DJ- NORTHEAST UTILITIES SAID IT SIGNED AN AGREEMENT WITH THREE OTHER NEW ENGLAND UTILITIES UNDER WHICH IT WILL PROVIDE THREE MONTHS OF FUNDING FOR THE PORTION OF THE SEABROOK NUCLEAR PROJECT THAT IS SUBJECT TO DEFAULT.

THE UTILITY SAID IT WILL PICK UP ABOUT \$5 MILLION IN SEABROOK COSTS, WHICH WILL FUND THE SHARE OF SEABROOK COSTS OF MASSACHUSETTS MUNICIPAL WHOLESALE ELECTRIC CO.

MASSACHUSETTS MUNICIPAL, WHICH OWNS 11.6 PC OF SEABROOK, SAID EARLIER THIS YEAR IT WOULD NOT PROVIDE ADDITIONAL PAYMENTS FOR THE SEABROOK PROJECT.

AS PART OF THE AGREEMENT, COMMONWEALTH ENERGY SYSTEMS, EASTERN UTILITIES ASSOCIATES AND NEW ENGLAND ELECTRIC SYSTEM WILL PURCHASE ABOUT 275 MEGAWATTS A YEAR OVER FIVE YEARS FROM NORTHEAST UTILITIES, THE UTILITY SAID.

THE BUYERS OF THE ELECTRICITY ARE SEABROOK SHAREHOLDERS.

IN JULY, NORTHEAST SIGNED A SIMILAR AGREEMENT UNDER WHICH IT WILL PAY FOR \$2 MILLION OF SEABROOK COSTS IN RETURN FOR THE PURCHASE OF ELECTRICITY FROM NORTHEAST BY FOUR OTHER SEABROOK SHAREHOLDERS.

-Q- 4 25 PM EDT 88-30-881

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

CHAPTER 11 PROCEEDING OF PUBLIC SERVICE COMPANY
OF NEW HAMPSHIRE, CASE NO. 88-43.

Before: Honorable James E. Yacos
Judge in Bankruptcy

MOTION TO EXTEND PLAN EXCLUSIVITY PERIOD

Thursday, May 19, 1988
Federal Building
275 Chestnut Street
Manchester, New Hampshire

VOLUME ONE
of TWO VOLUMES
(Morning Session)

A P P E A R A N C E S

DEBTOR PSNH:

RICHARD LEVIN, ESQUIRE
DON WILLENBURG, ESQUIRE
Stutman, Treister & Glatt
3699 Wilshire Blvd., Suite 900
Los Angeles, California 90010

THOMAS R. JONES, ESQUIRE
Cahill Gordon & Reindel
80 Pine Street
New York, New York 10005

MARTIN L. GROSS, ESQUIRE
Sulloway, Hollis & Soden
9 Capitol Street
Concord, New Hampshire 03301

1 realistic matter. It's not going to occur on one
2 date. One thing I cannot do in this court, being
3 a one-man band, is conduct something like this in
4 a series of segmented hearings and hope to be able
5 to rule after the last segmented hearing.

6 If I'm going to go to that kind of
7 hearing, it's going to have to be set for a week
8 or something, and I would have to be able to
9 complete that record and rule on it while I'm
10 still reasonably fresh on the facts. But my basic
11 reasoning here, tentatively, is that it's in
12 nobody's interest at this stage to divert
13 attention from an all out effort to get into a
14 conceptual plan, get to a situation of record in
15 this case that it can assure all these other
16 regulatory agencies that, but for safety and
17 health considerations, which is their bailiwick
18 from a reorganization standpoint and economic
19 sense, this entity is in a financially stable
20 situation or track toward that resolved,
21 reorganized company status.

22 So that if Seabrook is lost, it is not
23 lost because of uncertainties or attrition or

1 myths or anything else relating to confusion about
2 what's going on in the Bankruptcy Court, but it is
3 lost because of those things that are the
4 bailiwick of these other agencies that protect
5 public health and safety. That, I think, is vital
6 here.

7 I think there is a window of
8 opportunity of about six months; that after which
9 this whole thing is going to start to unravel in a
10 lot of directions, one of which will be this kind
11 of all-out evidentiary hearing on valuation.

12 As you all know, that is war. That is
13 war. And I can take a month off and I can try
14 that. We'll live or die with this backwoods
15 judge's valuation, or what some appellant court
16 tells me, but you all know that isn't the way to
17 resolve reorganization if you can avoid it.

18 I think this matter really is
19 premature at this stage on what I've heard. I
20 realize I may be cutting the equity cushion a
21 little closer than has been done in some other
22 cases, but I don't think any of those other
23 cases -- barring your showing me to the contrary,

FILED

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

JUL 20 1988

U.S. BANKRUPTCY COURT

In re:

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE,

BK#88-00043

Debtor

Chapter 11

ORDER DENYING THE THIRD MORTGAGEES' MOTION FOR
ADEQUATE PROTECTION IN THE FORM OF CURRENT AND CONTINUING
INTEREST PAYMENTS UNDER THE THIRD MORTGAGE BONDS

Upon consideration of the Motion dated May 3, 1988 by First Fidelity, N.A., New Jersey ("First Fidelity"), as trustee under the Third Mortgage Bond Indenture, dated February 15, 1986 as amended and supplemented (the "Third Mortgage Indenture"), Citicorp, Consolidated Utilities & Communications, Inc. ("CUC"), and Amoskeag Bank, as trustee under the Pollution Control Revenue Bond Indenture, 1986 Series A (collectively, the "Third Mortgagees" or the "Movants") for an order requiring the above-captioned debtor (the "Debtor" or "PSNH") to afford adequate protection through the payment of interest on the Third Mortgage Bonds (as hereinafter defined) as and when such payments are due, including any payments which have become due and have not been paid subsequent to the filing of the Chapter 11 case (the "Third Mortgage Motion" or the "Motion") and the responses and memoranda in opposition by the Debtor, the Official Committee of Unsecured Creditors (the "Creditors' Committee"), the Official Committee of Equity Security Holders (the "Equity Committee"), and upon the submissions of other parties in interest, and upon that certain stipulation among the Third Mortgagees, the Debtor and the Creditors' Committee, approved by order

political issues swirling around the question of putting the plant into operation. This "observational phenomenon" modifying the subject viewed is not limited to quantum physics. **

6. In view of the foregoing determinations, the Court concludes that adequate protection in the form of current interest payments is not now required and shall not now be granted. Also in view of the foregoing determinations, the court need not, and does not, now decide whether, as a matter of law, adequate protection is required for an oversecured creditor only when the value of the collateral is deteriorating, and not as protection against the accrual of postpetition interest on oversecured debt. See, United Savings Association of Texas v. Timbers of Inwood Forest Associates, Ltd., 98 L. Ed.2d 740 (1988).

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

A. Consistent with the findings of fact and conclusions of law herein, the Motion is denied without prejudice to Movants' right to renew the Motion, pursuant to Amended Order Establishing Notice

** This court has made it clear at various stages of this case that it will leave environmental and public safety issues relating to Seabrook to the appropriate regulatory agencies having the expertise to deal with such matters but that it reserves all powers permitted it under the Bankruptcy Code to assure that questions relating to the financial condition and financial restructuring of the debtor remain for determination at an appropriate point in the reorganization court. The court therefore has serious concern that the relevant regulatory agencies be able to promptly come to a determination of any safety and environmental issues relating to Seabrook without being distracted by a premature "valuation sideshow" in this court that can only serve to confuse the matters appropriate for determination by such agencies.

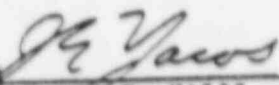
Procedure, entered April 19, 1988, for a hearing no earlier than February 15, 1989.

B. As additional adequate protection, however, the Court directs the Debtor to grant, and the Debtor hereby is deemed to grant, the Third Mortgagees' a post-petition security interest in and lien on Post-petition Collateral (as defined in the Senior Debt Order), subject and subordinate to the interests of the holders of the Senior Secured Borrowing in such Collateral, upon terms and conditions comparable to those set forth in paragraph H of the Senior Debt Order.

C. In view of the foregoing disposition of the Motion, discovery, which was contemplated by the Stipulation in anticipation of an evidentiary hearing on the facts raised by the Motion, is unnecessary at this time, and paragraphs 2 through 6, inclusive, of the Stipulation are hereby vacated.


DONE and ORDERED this 20th day of July, 1988 at Manchester, New Hampshire.

Docketed M.N. JUL 20 1988


JAMES E. YACOS
BANKRUPTCY JUDGE

Debtor to Serve on Full List

I certify that this is a true and accurate copy of the records on file with The United States Bankruptcy Court


Deputy Clerk, U.S. Bankruptcy Court
Manchester, New Hampshire

CERTIFICATE OF SERVICE

DOCKETED
DNPC
'88 SEP 16 P4:17

I, Jeffrey P. Trout, one of the attorneys for the Applicants herein, hereby certify that on September 12, 1988, I made service of the within document by mailing copies thereof, postage prepaid, to:

Lando W. Zech, Jr., Chairman
Nuclear Regulatory Commission
Washington, DC 20555

Kenneth M. Carr
Nuclear Regulatory Commission
Washington, DC 20555

Kenneth C. Rogers
Nuclear Regulatory Commission
Washington, DC 20555

Alan S. Rosenthal, Chairman
Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Thomas S. Moore
Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Administrative Judge Sheldon J.
Wolfe, Esquire, Chairman
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Judge Emmeth A. Luebke
Atomic Safety and Licensing
Board Panel
550 Friendship Boulevard
Apartment 1923N
Chevy Chase, MD 20815

Thomas M. Roberts
Nuclear Regulatory Commission
Washington, DC 20555

Frederick M. Bernthal
Nuclear Regulatory Commission
Washington, DC 20555

Howard A. Wilber
Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Mr. Richard R. Donovan
Federal Emergency Management
Agency
Federal Regional Center
130 228th Street, S.W.
Bothell, WA 98021-9796

Robert Carrigg, Chairman
Board of Selectmen
Town Office
Atlantic Avenue
North Hampton, NH 03862

Diane Curran, Esquire
Andrea C. Ferster, Esquire
Harmon & Weiss
Suite 430
2001 S Street, N.W.
Washington, DC 20009

Dr. Jerry Harbour
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Adjudicatory File
Atomic Safety and Licensing
Board Panel Docket (2 copies)
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Philip Ahrens, Esquire
Assistant Attorney General
Department of the Attorney
General
Augusta, ME 04333

Paul McEachern, Esquire
Matthew T. Brock, Esquire
Shaines & McEachern
25 Maplewood Avenue
P.O. Box 360
Portsmouth, NH 03801

Mrs. Sandra Gavutis
Chairman, Board of Selectmen
RFD 1 - Box 1154
Kensington, NH 03827

Senator Gordon J. Humphrey
U.S. Senate
Washington, DC 20510
(Attn: Tom Burack)

Senator Gordon J. Humphrey
One Eagle Square, Suite 507
Concord, NH 03301
(Attn: Herb Boynton)

Stephen E. Merrill, Esquire
Attorney General
George Dana Bisbee, Esquire
Assistant Attorney General
Office of the Attorney General
25 Capitol Street
Concord, NH 03301-6397

Sherwin E. Turk, Esquire
Office of the Executive Legal
Director
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Robert A. Backus, Esquire
Backus, Meyer & Solomon
116 Lowell Street
P.O. Box 516
Manchester, NH 03105

Mr. J. P. Nadeau
Selectmen's Office
10 Central Road
Rye, NH 03870

Carol S. Sneider, Esquire
Assistant Attorney General
Department of the Attorney
General
One Ashburton Place, 19th Flr.
Boston, MA 02108

Mr. Calvin A. Canney
City Manger
City Hall
126 Daniel Street
Portsmouth, NH 03801

R. Scott Hill-Whilton, Esquire
Lagoulis, Clark, Hill-
Whilton & McGuire
79 State Street
Newburyport, MA 01950

Mr. Peter S. Matthews
Mayor
City Hall
Newburyport, MA 01950

Mr. Thomas F. Powers, III
Town Manager
Town of Exeter
10 Front Street
Exeter, NH 03833

Mr. William S. Lord
Board of Selectmen
Town Hall - Friend Street
Amesbury, MA 01913

H. Joseph Flynn, Esquire
Office of General Counsel
Federal Emergency Management
Agency
500 C Street, S.W.
Washington, DC 20472

Charles P. Graham, Esquire
Murphy and Graham
33 Low Street
Newburyport, MA 01950

Gary W. Holmes, Esquire
Holmes & Ells
47 Winnacunnet Road
Hampton, NH 03841

Richard A. Hampe, Esquire
Hampe and McNicholas
35 Pleasant Street
Concord, NH 03301

Judith H. Mizner, Esquire
79 State Street, 2nd Floor
Newburyport, MA 01950



Jeffrey P. Trout