

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

UNITED STATES DISTRICT COURT

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FOR THE

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DISTRICT OF VERMONT BY \_\_\_\_\_  
DEPUTY CLERK

ENTERGY NUCLEAR VERMONT )  
YANKEE, LLC and ENTERGY NUCLEAR )  
OPERATIONS, INC., )

Docket No: 1:11-CV-99

Plaintiffs, )

v. )

PETER SHUMLIN, Governor of the State of Vermont; )  
WILLIAM SORRELL, Attorney General of the State of )  
Vermont; and JAMES VOLZ, JOHN BURKE, and )  
DAVID COEN, members of the Vermont Public Service )  
Board, )

Defendants )

**DECLARATION OF JOYCE CUSIMANO**

Joyce Cusimano declares as follows pursuant to 28 U.S.C. § 1746:

1. My name is Joyce Cusimano. I am office manager for the Conservation Law Foundation's office in Montpelier, VT. My business address is 15 East State St. Suite 4, Montpelier, Vermont 05602.
2. Attached hereto as Cusimano Exhibit 1 is a true and correct copy of the Vermont Public Service Board's memorandum from Judith C. Whitney, the Deputy Clerk of the Board to parties in PSB Docket No. 7440, dated April 23, 2009, setting forth the schedule for technical hearings to begin on May 18, 2009.

3. Attached hereto as Cusimano Exhibit 2 is a true and correct copy of the direct testimony of Paul Chernick, president of Resource Insight, Inc., on behalf of the Conservation Law Foundation ("CLF") and the Vermont Public Interest Research Group ("VPIRG"), in PSB Docket 7440 dated February 11, 2009.
4. Attached hereto as Cusimano Exhibit 3 is a true and correct copy of the affidavit of Jeffery A. Hardy, Chemistry Manager at VY Station, dated February 3, 2010.
5. Attached hereto as Cusimano Exhibit 4 is a true and correct copy of the discovery response in PSB Docket 7600 from ENVY provided by Timothy C. Trask, Chief Engineer of Boiling Water Reactors at the VY Station, to CLF's Requests for Admission and Discovery Requests, dated April 12, 2010.
6. Attached hereto as Cusimano Exhibit 5 is a true and correct copy of a letter from CLF's attorney, Sandra Levine, to Susan Hudson, Clerk at the Vermont Public Service Board in Docket 7440 regarding Entergy VY's Petition for Amendment of their CPG, dated January 25, 2010.
7. Attached hereto as Cusimano Exhibit 6 is a true and correct copy of an article by Susan Smallheer published in the TIMES ARGUS, dated February 25, 2010, entitled "Entergy Suspends 4 More Employees."
8. Attached hereto as Cusimano Exhibit 7 is a true and correct copy of the Vermont Public Service Board's Order Opening Investigation and Notice of Prehearing Conference, dated February 25, 2010.
9. Attached hereto as Cusimano Exhibit 8 is a true and correct copy of The Journal of the Senate, from the Vermont Legislature dated February 24, 2010.

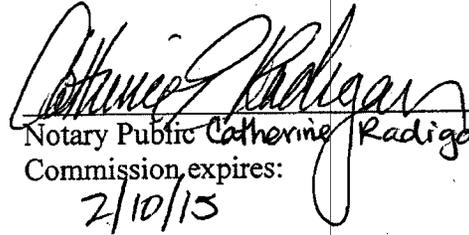
10. Attached hereto as Cusimano Exhibit 9 is a true and correct copy of *Repowering Vermont, Replacing Vermont Yankee for a Clean Energy Future* published by the Vermont Public Interest Research and Education Fund, dated Summer 2009.
11. Attached hereto as Cusimano Exhibit 10 is a true and correct copy of the corrected direct testimony of Stratton French on behalf of Conservation Law Foundation (“CLF”), in PSB Docket 7600 dated June 30, 2010.
12. Attached hereto as Cusimano Exhibit 11 is a true and correct copy of the direct testimony of Vermont Agency of Natural Resources witnesses Christine Thompson, John Akielaszek and Dan Mason in PSB Docket 7600 dated July 2, 2010.
13. Attached hereto as Cusimano Exhibit 12 is a true and correct copy of the Vermont Public Service Board’s Order Re: Requests for Sanctions and Attorney’s Fees and Costs in PSB Docket 7440 dated June 4, 2010.
14. Attached hereto as Cusimano Exhibit 13 is a true and correct copy of a letter from Vermont Agency of Natural Resources Secretary, Deborah L. Markowitz to Mr. Christopher Wamser, General Manager Plant Operations and Ms. Lynn DeWald, Environmental Specialist at Entergy Nuclear Vermont Yankee dated May 24, 2011.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 31<sup>st</sup> day of May 2011.

  
Joyce Cusimano  
Office Manager  
Conservation Law Foundation  
15 East State Street, Suite 4  
Montpelier, VT 05602

Subscribed and sworn before me this 31<sup>st</sup> day of May, 2011.

  
Notary Public Catherine Radigan  
Commission expires:  
2/10/15