

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE
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July 14, 2008

Hon. Gerald Lynch
Hon. David Prestemon
Administrative Law Judges
Department of Public Service
Three Empire State Plaza
Albany, New York 12223-1350

Re: Case 08-E-0077 – Entergy Corporation, et al. – Joint Petition for a Declaratory Ruling Regarding a Corporate Reorganization, or, in the Alternative, an Order Approving the Transaction and an Order Approving Debt Financing.

Dear Judges Lynch and Prestemon:

In response to your Letter Notice of July 3, 2008, Staff offers the following. As to expiration of discovery period on July 22, 2008, Staff submitted its most recent set of Information Requests (IR) on July 1 and July 9, 2008. If the responses to those IRs prove satisfactory, once Staff has had the opportunity to review them, Staff does not intend to pursue any further discovery in this proceeding. If any of the responses calls for additional discovery, Staff will notify your Honors promptly.

As to conducting a Technical Conference, it does not appear that such a conference will be necessary or useful because the IR process has been adequate to address the issues raised in this proceeding. Therefore, Staff does not intend to conduct a Technical Conference.

As to the State Environmental Quality Review Act process for this proceeding, Staff believes that the process followed in other recent proceedings involving transfers of ownership of wholesale generators would be adequate here. Such proceedings include:

Case 07-E-0300 – Rensselaer Cogeneration LLC, Byson Power LLC, and Rensselaer Holdings LLC, Order Approving Transfer and Providing For Lightened Regulation (issued May 21, 2007);

Case 06-E-1301, et al., WPS Empire State, Inc., WPS Niagara Generation LLC and USRG Niagara Biomass LLC, Order Approving Transfer and Financing (issued January 22, 2007);

Case 04-E-0789, Orion Power Holdings, Inc. and Great Lakes Power, Inc., Order Approving Transfers and Financing and Making Other Findings (issued September 22, 2004).

Very truly yours,



Leonard Van Ryn
Peter Catalano
Staff Counsel

cc: All Active Parties