

# STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

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July 3, 2008

## VIA E-MAIL

To: ALL ACTIVE PARTIES:

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

We are now more than two-thirds of the way through the minimum 60-day discovery period prescribed by the Commission in its May 23, 2008, Order Establishing Further Proceedings, (Order). That means we are rapidly approaching the point at which we will be obligated to “establish when the discovery period shall conclude,” and provide for “such further procedures as are appropriate to ensure that an adequate record is assembled and that the proceeding is resolved in an orderly and efficient manner.” To assist us in that effort, we ask that the parties provide us with the information requested below by **COB Monday, July 14, 2008**:

1. Each active party that has conducted, or intends to conduct, any discovery with respect to the issues identified by the Commission in footnote 9 of its Order should describe the status of its efforts and indicate when it expects to complete them. Any party proposing a continuation of discovery beyond July 22, 2008, should give specific reasons why the current period should be extended. Those reasons should clearly indicate why discovery could not have been completed within the original time allotted.
2. Does Staff intend to conduct a technical conference as authorized by the Order? If so, when and where will it be held?
3. Do Petitioners have a date by which they believe this case needs to be decided? If so, please explain the legal, practical or economic basis for that deadline, and how the public interest would be affected if it were missed.

4. All parties please identify the specific location in any filings made to date of all arguments you want us to consider on the issue of the extent of the review under SEQRA required in this case. If you have any other arguments not previously set forth, please describe them to us as succinctly as possible.

Responses may be submitted to us electronically with copies to the Active Parties List. The address list for this message is current.

Gerald Lynch  
David Prestemon  
Administrative Law Judges