



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

RICHARD L. BRODSKY

Westchester County

CHAIRMAN  
Committee on  
Corporations, Authorities and Commissions

July 30, 2008

**SENT BY EMAIL ONLY**

Honorable Gerald Lynch  
Honorable David L. Prestemon  
Public Service Commission  
Three Empire Plaza  
Albany, New York 12223

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:

This letter is sent in response to your Honors Order dated July 23, 2008. The proposed schedule might be acceptable if the active parties received adequate information in response to interrogatories. Given that the responses by Petitioners have been comparable to stonewalling and flatly unresponsive, at this time we do not have sufficient answers to litigate critical issues in this case. We are completely appalled by the responses to our interrogatories and view this as a delaying tactic. A schedule premised on inadequate disclosure and unfair discovery process is no schedule at all.

A schedule should be devised after the conference on Friday, August 1, 2008 and any necessary follow up from the conference. Since the proposed schedule was recommended prior to receipt of some interrogatories responses, any scheduling order should consider outstanding and unresponsive interrogatory requests that have not been resolved. Any expedited schedule based on Petitioners arbitrary deadline for a PSC decision in September is not in the public's interest and thus should not be entertained.

Sincerely,

A handwritten signature in black ink that reads "Richard Brodsky".

RICHARD L. BRODSKY

Cc: active party list via email