

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Joint Petition of Holtec Indian Point 2, LLC; Holtec Indian Point 3, LLC; Nuclear Asset Management Company, LLC; and Decommissioning Asset Management Company, LLC for a Declaratory Ruling that Review Under Section 70 of the New York Public Service Law is Not Needed for an Intra-Corporate Reorganization and Alternate Request for Approval of the Intra-Corporate Reorganization Pursuant to Section 70 of the New York Public Service Law

Case 26-E-_____

JOINT PETITION OF HOLTEC INDIAN POINT 2, LLC; HOLTEC INDIAN POINT 3, LLC; NUCLEAR ASSET MANAGEMENT COMPANY, LLC; AND DECOMISSIONING ASSET MANAGEMENT COMPANY, LLC FOR A DECLARATORY RULING THAT REVIEW UNDER SECTION 70 OF THE NEW YORK PUBLIC SERVICE LAW IS NOT NEEDED FOR AN INTRA-CORPORATE REORGANIZATION AND ALTERNATE REQUEST FOR APPROVAL OF THE INTRA-CORPORATE REORGANIZATION PURSUANT TO SECTION 70 OF THE NEW YORK PUBLIC SERVICE LAW

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Dated: May 7, 2026

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PUBLIC SERVICE COMMISSION

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I. INTRODUCTION

Holtec Indian Point 2, LLC (HIP2); Holtec Indian Point 3, LLC (HIP3, with HIP2, the IPEC Companies); Nuclear Asset Management Company, LLC (NAMCO); and Decommissioning Asset Management Company, LLC (DEAMCO) (collectively, the Petitioners) jointly petition the New York State Public Service Commission (the Commission) for (A) a declaratory ruling that an intra-corporate reorganization that (1) will insert two new affiliates upstream of the IPEC Companies, and (2) will transfer the ownership interests in the IPEC Companies from its current upstream affiliate, NAMCO, to one of the newly created upstream affiliates, DEAMCO (the Holtec Reorganization), does not require approval under Section 70 of the New York Public Service Law (PSL), or, in the alternative, (B) an order approving the Holtec Reorganization under PSL § 70. As described in detail below, the Holtec Reorganization is purely intra-corporate and will not result in any change in the ultimate ownership of the IPEC Companies and their

jurisdictional facilities. Thus, the Petitioners respectfully request that the Commission issue an expedited declaratory ruling that no further review will be conducted of the Holtec Reorganization under PSL § 70. Alternatively, if the Commission determines that the Holtec Reorganization does require further review under PSL § 70, the Petitioners respectfully request that the Commission approve the Holtec Reorganization as being in the public interest.

II. COMMUNICATIONS

The following persons should be included on the official service list in this proceeding, and all communications concerning this filing should be addressed to them:

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III. BACKGROUND

A. Indian Point Energy Center and the Holtec Petitioners

The IPEC Companies are the direct owners of three permanently retired nuclear generating facilities located at the Indian Point Energy Center (Indian Point): Indian Point Nuclear Generating Unit 1 (Unit 1), Indian Point Nuclear Generating Unit 2 (Unit 2), and Indian Point Nuclear Generating Unit 3 (Unit 3, and collectively with Unit 1 and Unit 2, the Indian Point Generating Units).¹ In addition to the Indian Point Generating Units, Indian Point includes spent fuel pools, a dry cask storage facility (used for the long-term storage of spent nuclear fuel), and other on-site

¹ Indian Point Nuclear Generating Unit 1 has been long shut down, since 1974, while Indian Point Nuclear Generating Unit 2 and Indian Point Nuclear Generating Unit 3 ceased operations on April 30, 2020, and April 30, 2021, respectively.

structures housing support equipment. The Commission approved the transfer of the indirect ownership interests in Indian Point from Entergy Nuclear Indian Point 2 and Entergy Nuclear Indian Point 3 (together, Entergy) to NAMCO in Case 19-E-0730.² As a result, NAMCO currently owns 100% of the membership interests in the IPEC Companies but does not own any plant or licenses associated with Indian Point. Rather, the IPEC Companies own not only the Indian Point Generating Units, but also all real property and other assets, including spent nuclear fuel, at Indian Point. The IPEC Companies also hold the Nuclear Regulatory Commission (NRC) licenses for ownership of the Indian Point Generating Units as well as the nuclear decommissioning trusts (NDTs) associated with Indian Point.

NAMCO is a wholly owned indirect subsidiary of Holtec International (Holtec International), which, in turn, is wholly owned by The Great Banyan Trust and the Multi-Decades Trust. Holtec Decommissioning International, LLC (HDI) is also a wholly owned indirect subsidiary of Holtec International. Since the transfer of the ownership interests in Indian Point from Entergy to NAMCO in Case 19-E-0730, HDI has served as the NRC-licensed decommissioning operator of Indian Point under a decommissioning operator services agreement between HDI and each of the IPEC Companies.

B. Holtec's Obligations Under the Case 19-E-0730 Joint Proposal

In Case 19-E-0730, the Commission also approved a Joint Proposal that requires NAMCO and HDI (together, Holtec) to undertake certain obligations and responsibilities with respect to decommissioning Indian Point. Specifically, the Joint Proposal includes certain financial assurance

² Case 19-E-0730, *Joint Petition of Entergy Nuclear Indian Point 2, LLC; Entergy Nuclear Indian Point 3, LLC; and Nuclear Asset Management Company, LLC for a Declaratory Ruling Disclaiming Jurisdiction Over or Abstaining from Review of the Proposed Transfers or, in the Alternative, an Order Approving the Proposed Transfers Pursuant to Section 70 of the New York Public Service Law, Order Asserting Jurisdiction and Approving and Adopting Joint Proposal* (issued May 19, 2021) (Transfer Order).

and regulatory mechanisms to ensure the timely and safe decommissioning and site restoration of Indian Point and the maintenance of the dry cask storage facility at Indian Point. For example, the Joint Proposal requires Holtec to maintain minimum balances in the NDTs, requires Holtec to establish restoration-specific third-party financial assurance, and establishes project and financial reporting requirements.³ The Joint Proposal also provides for other assurances related to the operation of decommissioning activities at Indian Point, including requirements related to communications, training, and safety at the site.⁴

C. Decommissioning Status

With respect to major scopes of decommissioning work, since 2021 Holtec has placed all fuel on the Independent Spent Fuel Storage Installation (ISFSI), removed outbuildings/structures, and made significant progress in both the Unit 2 and Unit 3 reactor vessel internal segmentation. Holtec is continuing to progress with the Unit 2 reactor vessel lower internal segmentation, certain demolition activities at Unit 1, and the segmentation of the old Unit 2 steam generator.

IV. THE HOLTEC REORGANIZATION

Pursuant to a multi-step intra-corporate reorganization, (1) two new affiliates will be inserted upstream of the IPEC Companies, and (2) ownership and control of the IPEC Companies will be transferred from their current upstream affiliate, NAMCO, to one of the newly created upstream affiliates, DEAMCO. The IPEC Companies will continue to own Indian Point and all associated real property and plant assets. The new DEAMCO affiliate will be wholly owned by a newly created affiliate of Holtec International named Holtec Holdings, Inc., which, in turn, will be

³ See Transfer Order, Appendix A at 14-15, 18-21.

⁴ See *e.g. id.*, Appendix A at 29 (outlining requirements for public alert and communications systems at the site and establishing site-personnel training requirements), 30 (requiring that Holtec maintain fire protection systems at the site).

wholly owned by the same current ultimate owners, The Great Banyan Trust and the Multi-Decades Trust, which are controlled by Holtec's owner and founder, Dr. Krishna Singh. Thus, the IPEC Companies will continue to be ultimately owned by The Great Banyan Trust and the Multi-Decades Trust.⁵

The proposed transfer of ownership and control of the IPEC Companies to DEAMCO will not result in any change to the IPEC Companies' direct ownership of Indian Point or its related assets, any modification of the trust agreements to the NDTs, nor any amendment to any NRC license held by the IPEC Companies. The Holtec Reorganization will thus not affect the NDTs nor any financial qualifications of the IPEC Companies, which will continue to maintain the decommissioning financial assurance required by NRC regulations and the Joint Proposal in Case 19-E-0730. Moreover, HDI will continue to serve as the NRC-licensed decommissioning operator for Indian Point. Following the Holtec Reorganization, HDI will continue to conduct all NRC-licensed activities at Indian Point, employ and oversee site personnel, administer decommissioning subcontracts, and maintain nuclear safety programs, consistent with the requirements established in the Case 19-E-0730 Joint Proposal and other regulatory requirements.

The Petitioners now file this Joint Petition with the Commission seeking (A) a declaratory ruling that the intra-corporate Holtec Reorganization does not require approval under PSL § 70; or, alternatively, (B) an order approving the Holtec Reorganization under PSL § 70.

V. THE COMMISSION SHOULD ISSUE A DECLARATORY RULING FINDING THAT PSL § 70 APPROVAL IS NOT NEEDED FOR THE PROPOSED INTRA-CORPORATE HOLTEC REORGANIZATION

The Commission should issue a declaratory ruling finding that PSL § 70 approval is not necessary given the intra-company nature of the Holtec Reorganization. The Commission has

⁵ See Exhibit A (Pre-Holtec Reorganization and Post-Holtec Reorganization Organizational Charts).

previously determined that such intra-corporate restructurings do not require approval under PSL § 70 when the ultimate owner of the jurisdictional facility remains unchanged.⁶ The Commission has even applied this precedent in circumstances when the transfer involved interests in the direct owner itself (*i.e.*, the entity that constitutes the “electric corporation” under the PSL, which in this case is the IPEC Companies).⁷ The Commission has also applied this precedent in the context of merchant nuclear facilities.⁸ When making this determination, the Commission has also examined whether such intra-corporate transfers would create the potential for exercise of market power or harm to captive ratepayer interests.⁹

Here, the Holtec Reorganization involves the transfer of direct ownership interests in the IPEC Companies from NAMCO to its affiliate, DEAMCO. Like the transfers addressed by the Commission in relevant precedent, the Holtec Reorganization is purely intra-corporate, involving only wholly owned subsidiaries of The Great Banyan Trust and the Multi-Decades Trust. The

⁶ See *e.g.* Case 22-E-0660, *Petition of Number Three Wind LLC for and Order Approving Financing Pursuant to Section 69 of the New York State Public Service Law and a Declaratory Ruling Regarding Application of Section 70*, Order Approving Financing and Making Other Findings, at 17 (issued March 17, 2023) (“Reshuffling the layers of a corporate structure, including inserting new subsidiaries into the existing structure where all entities remain wholly owned by an existing owner in that structure does not amount to a transfer under PSL § 70 ...”) (citing Case 06-E-1073, *Atlantic Renewables Projects LLC and Atlantic Renewable Projects II LLC – Joint Petition for a Declaratory Ruling Regarding the Application of Public Service Law § 70*, Declaratory Ruling on Regulation of Intra-Corporate and other Transactions [issued Oct. 19, 2006] [PPM Ruling]); Case 17-M-0072, *Joint Petition for a Declaratory Ruling Regarding an Intra-Corporate Restructuring*, Declaratory Ruling on Intra-Corporate Restructuring, at 6-7 (issued March 13, 2017) (RED-Rochester Ruling) (finding that intra-corporate transaction that did not affect the ultimate indirect ownership of jurisdictional facilities did not require further regulatory review).

⁷ See RED-Rochester Ruling at 6-7 (finding that the intra-corporate transfer of direct ownership interests in owner of electric plant did not require further review under PSL § 70); PPM Ruling at 4 (same).

⁸ See Case 17-M-0302, *Petition of Exelon Generation Company, LLC for a Limited Declaratory Ruling that Intra Corporate Restructurings Require No Further Review Under Section 70 of the Public Service Law*, Declaratory Ruling on Intra-Corporate Transactions, at 8-9 (issued Aug. 3, 2017) (ruling that corporate reorganization that did not result in a change in ultimate owner of lightly regulated entity did not require PSL § 70 approval).

⁹ See RED-Rochester Ruling at 7.

Holtec Reorganization will not result in any change in the ultimate owners of the jurisdictional assets, which will remain The Great Banyan Trust and the Multi-Decades Trust. Further, and as explained in more detail below, the Holtec Reorganization will not create any potential for the exercise of market power and will not harm captive ratepayer interests. Accordingly, the Commission should determine that PSL § 70 approval is not required for the intra-corporate Holtec Reorganization.¹⁰

VI. ALTERNATIVELY, THE COMMISSION SHOULD APPROVE THE INTRA-CORPORATE HOLTEC REORGANIZATION UNDER PSL § 70

In the event that the Commission determines that further PSL § 70 review is necessary notwithstanding the wholly intra-corporate nature of the Holtec Reorganization, the Commission should approve the Holtec Reorganization as being in the public interest.

Under PSL § 70, no electric corporation may “transfer or lease its franchise, works or system or any part of such franchise, works or system” without first receiving written Commission consent. The Commission has stated that it applies a public interest standard when reviewing transfers of ownership interests under PSL § 70, highlighting various relevant factors such as affiliations that may afford opportunities for the exercise of market power or pose the potential for harm to captive ratepayer interests; the financial integrity of the transferee; the transferee’s ability to render safe, adequate, and reliable service; and any other matters that may implicate the public interest.¹¹

¹⁰ See e.g. RED-Rochester Ruling at 6-7; PPM Ruling at 4.

¹¹ See e.g. Case 20-E-0371, *Joint Petition of Exelon Generation Company, LLC, EDF Inc, Constellation Energy Nuclear Group, LLC, Nine Mile Point Nuclear Station, LLC, and R.E. Ginna Nuclear Power Plant, LLC, for a Declaratory Ruling Disclaiming Jurisdiction over the Proposed Transfer or Finding the Proposed Transfer Requires No Further Review or, in the Alternative, an Order Authorizing the Proposed Transfer Pursuant in Section 70 of the New York Public Service Law*, Order Approving Transfer and Making Other Findings, at 8 (issued Apr. 15, 2021); Transfer Order, at 21; Case 16-E-0552, *Petition of CCI Rensselaer LLC for Approval of Debt Financing Pursuant to Public Service Law*

Considering these factors here, the Holtec Reorganization is clearly in the public interest and should be approved pursuant to PSL § 70. First, the Holtec Reorganization will not create opportunities for the exercise of market power or pose the potential for harm to captive ratepayer interests because the Indian Point Generating Units have been and will continue to be permanently retired. Additionally, the Holtec Reorganization will not impact the financial and operational obligations undertaken by Holtec pursuant to the Joint Proposal in Case 19-E-0730. In that proceeding, the Commission thoroughly reviewed and ultimately determined that the Joint Proposal's financial assurance provisions and Holtec's general technical capabilities supported a finding that the transfer of Indian Point from Entergy to Holtec was in the public interest.¹² Following the Holtec Reorganization, the IPEC Companies will continue to maintain the decommissioning financial assurance required by NRC regulations and the Joint Proposal, and HDI will continue to serve as the decommissioning operator for Indian Point. Thus, because the Holtec Reorganization will not result in any changed circumstances with respect to the financial support for and implementation of decommissioning activities at Indian Point, the Holtec Reorganization will not affect the findings made by the Commission in Case 19-E-0730 with respect to Holtec's financial integrity and technical qualifications to successfully decommission and remediate Indian Point. Accordingly, if the Commission determines that the Holtec

Section 69 and a Related Intra-Corporate Transfer of CCI Rensselaer LLC Pursuant to Public Service Law Section 70, Order Approving Financing and Transfer, and Ruling on Other Matters, at 9 (issued Jan. 25, 2017) (explaining that the PSL § 70 review focuses on two questions: whether the transfer could afford opportunities for exercise of market power and whether the transfer has the potential to harm captive ratepayer interests, in addition to considering the impacts of the transfer on operations of the electric plant) (CCI Rensselaer Ruling).

¹² Transfer Order at 31 (finding that "in light of the trust funds' current balances, as secured by the Joint Proposal's various financial assurance provisions ... the Holtec entities possess the financial wherewithal necessary to responsibly assume ownership of the Site), 31-32 (finding Holtec to be capable of managing spent nuclear fuel and decommissioning the Site), 33 (finding that Holtec's projected decommissioning plan and timeline would further the public interest).

Reorganization is subject to further review under PSL § 70, the Commission should find that it is in the public interest, consistent with its findings in Case 19-E-0730.¹³

VII. STATE ENVIRONMENTAL QUALITY REVIEW ACT

Should the Commission determine that it must further review the Holtec Reorganization under PSL § 70, the Commission is required to evaluate whether its action in this proceeding may have a significant impact on the environment under the State Environmental Quality Review Act (SEQRA, Article 8 of the New York Environmental Conservation Law) and its implementing regulations (6 NYCRR Part 617 and 16 NYCRR Part 7). In contrast, SEQRA review is not required if the Commission issues a declaratory ruling abstaining from further review of the Holtec Reorganization.¹⁴

If SEQRA review must be undertaken here, the proposed action (*i.e.*, approving the Holtec Reorganization) does not meet the definition of either Type I or Type II actions¹⁵ and, therefore, is appropriately classified as an “unlisted” action.¹⁶ Accordingly, the Commission, as lead agency, should conduct an environmental assessment and determine the significance of the action proposed.¹⁷ To facilitate the Commission’s assessment, and in satisfaction of 6 NYCRR § 617.6 (a) (3), the Petitioners have completed a Short Environmental Assessment Form (SEAF) disclosing

¹³ Further, the Joint Proposal specifically contemplates the Signatory Entities, including Holtec, assigning their rights and obligations under the Joint Proposal to a successor or assign (*see* Joint Proposal at 12, paragraph J). As part of the Holtec Reorganization, NAMCO will assign its rights and obligations under the Joint Proposal to DEAMCO using an assignment and assumption agreement. As part of the Commission’s order concerning the Holtec Reorganization, the Petitioners respectfully request that the Commission confirm the assignment of the Joint Proposal from NAMCO to DEAMCO.

¹⁴ *See* 6 NYCRR § 617.5 (c) (37) (“The following actions are not subject to review under this Part ... interpretation of an existing code, rule or regulation.”).

¹⁵ *See* 6 NYCRR §§ 7.2, 617.4, and 617.5.

¹⁶ *See* CCI Renssalaer Ruling at 6.

¹⁷ Since no additional state or local permits or approvals are required for the Holtec Reorganization, a coordinated review under SEQRA is not needed.

the Holtec Reorganization’s potential environmental impact, if any. The SEAF is attached to the Joint Petition as Exhibit B. As outlined in the SEAF, the Holtec Reorganization will not involve any immediate change to the decommissioning activities at Indian Point. The ultimate owners will remain the same following the changes in ownership structure, and decommissioning activities at Indian Point will be unaffected. As such, the Commission should determine that the Holtec Reorganization will not have a significant adverse impact on the environment, adopt a negative declaration pursuant to SEQRA, and undertake no further environmental review.¹⁸

VIII. NEW YORK STATE ADMINISTRATIVE PROCEDURE ACT

Pursuant to Section 202 of the State Administrative Procedure Act (SAPA), should the Commission determine it must further review the Holtec Reorganization under PSL § 70, the Commission’s determination of the Holtec Reorganization is a rulemaking activity requiring that notice be published in the *New York State Register* allowing 60 days for public comment.¹⁹ To that end, a draft form of notification suitable for publication in the *New York State Register* pursuant to SAPA is appended hereto as Exhibit C, as required by 16 NYCRR § 3.5 (i).

IX. CLIMATE LEADERSHIP AND COMMUNITY PROTECTION ACT (CLCPA)

Under CLCPA § 7 (2), when an administrative agency such as the Commission issues “permits, licenses, and other administrative approvals and decisions,” it “shall consider whether such decisions are inconsistent with or will interfere with the attainment of the statewide greenhouse gas emissions limits established in article 75 of the environmental conservation law [ECL].”²⁰ If an agency decision is inconsistent with attainment of those limits, “the agency must

¹⁸ See 6 NYCRR § 617.7; see also CCI Rensselaer Ruling at 6-7.

¹⁹ See SAPA § 202 (1) (a).

²⁰ See *Clean Air Coalition of Western New York, Inc. v NYS Public Service Commission*, 85 Misc 3d 665, 668 (Sup Ct, Albany County 2024).

provide a detailed statement of justification as to why such limits/criteria may not be met ... and identify alternatives or green-house gas mitigation measures to be required where such project is located.”²¹

Further, under CLCPA § 7 (3), when an administrative agency such as the Commission issues “permits, licenses, and other administrative approvals and decisions,” it “shall not disproportionately burden disadvantaged communities” and “shall also prioritize reductions of greenhouse gas emissions and co-pollutants in disadvantaged communities.”

Commission action authorizing the Holtec Reorganization satisfies both requirements. As to CLCPA § 7 (2), the Holtec Reorganization involves upstream changes in ownership interests only and will not produce any physical changes to Indian Point. Post-closing, the IPEC Companies will continue to operate in full compliance with all applicable Commission orders, permits, and environmental laws and regulations of the New York State Department of Environmental Conservation, and their operations will remain unchanged from pre-transaction practices. Accordingly, the Commission should confirm that its action in this proceeding is not inconsistent with, and will not interfere with, the attainment of the statewide greenhouse gas emissions limits established under Article 75 of the ECL.

As to CLCPA § 7 (3), the Holtec Reorganization will not place a disproportionate burden on disadvantaged communities. The upstream changes in ownership will produce no physical alterations to Indian Point and no changes to the ongoing decommissioning operations. Accordingly, the Holtec Reorganization is not inconsistent with CLCPA § 7 (3), and the Commission should determine that its action in this proceeding meets all applicable requirements of the CLCPA.

²¹ CLCPA § 7 (2); *Clean Air Coalition*, 85 Misc 3d at 668.

X. CONCLUSION

For the foregoing reasons, the Petitioners respectfully request that the Commission issue (A) a declaratory ruling that the intra-corporate Holtec Reorganization does not require approval under PSL § 70; or, alternatively, (B) an order approving the Holtec Reorganization under PSL § 70.

Dated: May 7, 2026
Albany, New York

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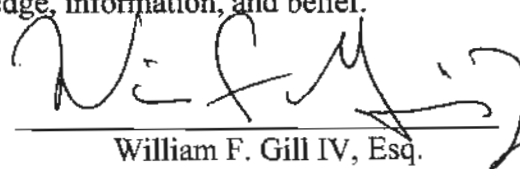
Case 26-E-_____

VERIFICATION

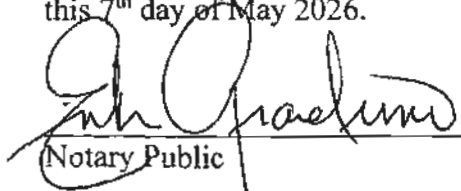
STATE OF NEW JERSEY)
) ss:
COUNTY OF CAMDEN)

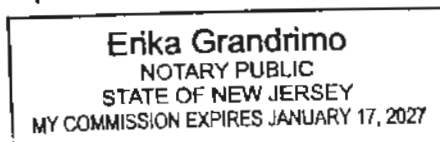
William F. Gill IV, being duly sworn, deposes and states as follows:

1. I am the Secretary of Nuclear Asset Management Company, LLC and also serve as General Counsel for Holtec Indian Point 2, LLC; Holtec Indian Point 3, LLC; Nuclear Asset Management Company, LLC; and Decommissioning Asset Management Company, LLC (collectively, Holtec).
2. I am authorized to sign this verification on behalf of Holtec.
3. I have reviewed the foregoing Joint Petition and the statements of fact contained therein pertaining to Holtec and the proposed transaction addressed in the Joint Petition, all of which are true and correct to the best of my knowledge, information, and belief.


William F. Gill IV, Esq.

Sworn to and subscribed before me
this 7th day of May 2026.


Notary Public



LIST OF EXHIBITS

Exhibit A – Pre-Holtec Reorganization and Post-Holtec Reorganization Organizational Charts

Exhibit B – Draft Short Environmental Assessment Form

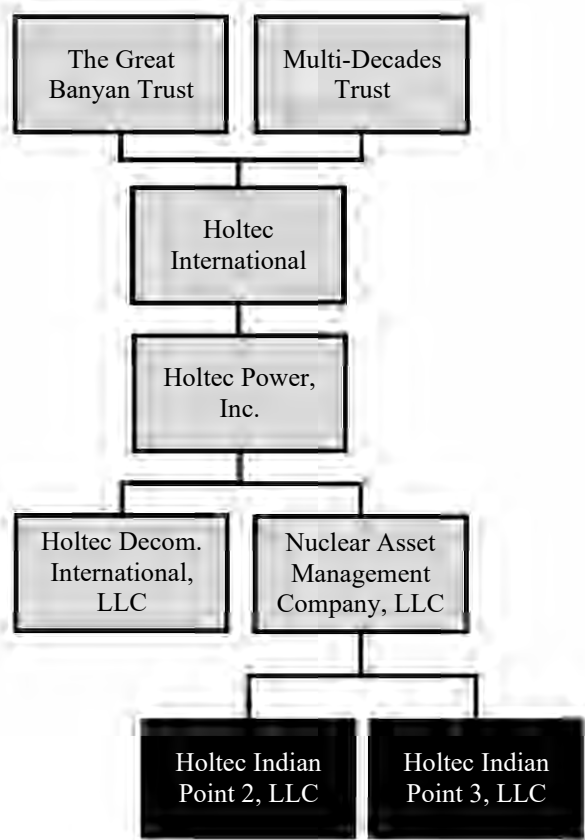
Exhibit C – State Administrative Procedure Act Notice

Exhibit A

Pre-Holtec Reorganization and Post-Holtec Reorganization Organizational Charts

Current

*Simplified to remove subsidiaries not relevant to IPEC



Post Reorganization

*Simplified to remove
subsidiaries not relevant to IPEC

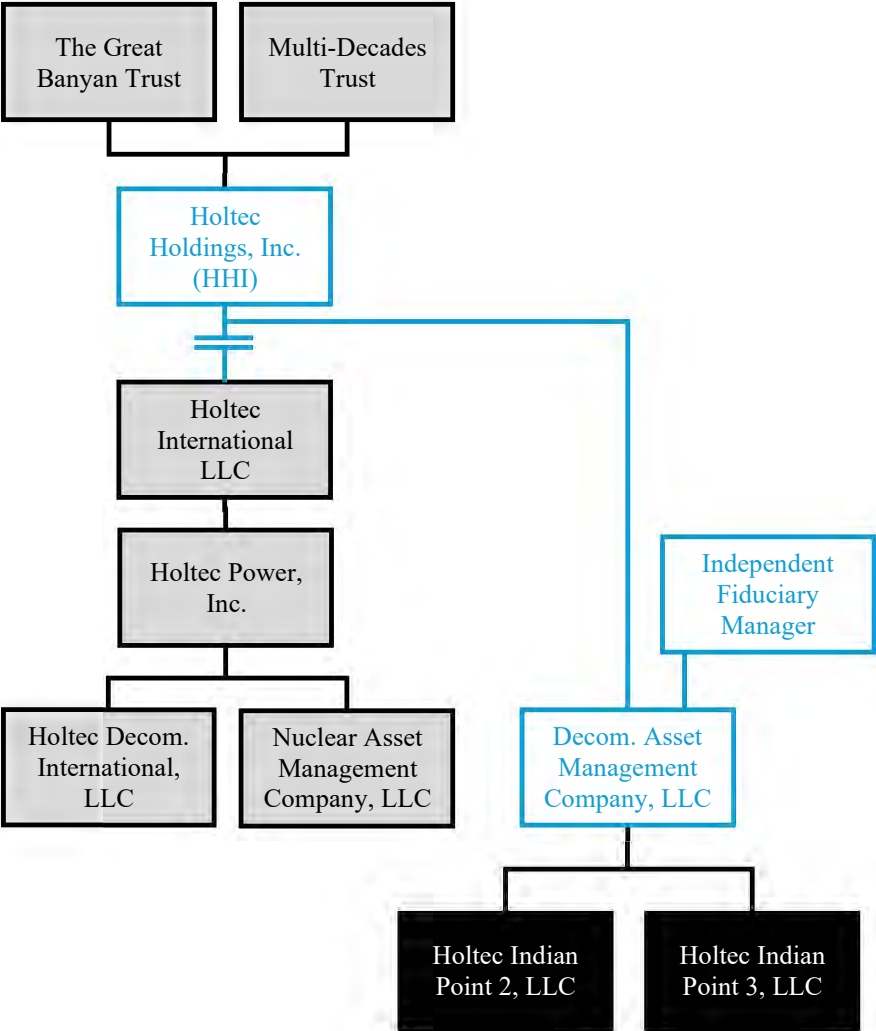


Exhibit B

Short Environmental Assessment Form

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Holtec Indian Point 2, LLC, Holtec Indian Point 3, LLC, Nuclear Asset Management Company, LLC, Decommissioning Asset Management Company, LLC			
Name of Action or Project: Joint Petition for a Declaratory Ruling that Review Under Section 70 of the New York Public Service Law is Not Needed for an Intra-Corporate Reorganization and Alternate Request for Approval of the Intra-Corporate Reorganization Pursuant to Section 70 of the New York Public Service Law			
Project Location (describe, and attach a location map): Buchanan, New York			
Brief Description of Proposed Action: Holtec Indian Point 2, LLC (HIP2); Holtec Indian Point 3, LLC (HIP3, with HIP2, the IPEC Companies); Nuclear Asset Management Company, LLC (NAMCO); and Decommissioning Asset Management Company, LLC (DEAMCO) (collectively, the Petitioners) jointly petition the New York State Public Service Commission (the Commission) for (A) a declaratory ruling that an intra-corporate reorganization that (i) will insert two new affiliates upstream of the IPEC Companies, and (ii) transfer the ownership interests in the IPEC Companies from its current upstream affiliate, NAMCO, to one of the newly created upstream affiliates, DEAMCO (the Holtec Reorganization) does not require approval under Section 70 of the New York Public Service Law (PSL), or, in the alternative, (B) an order approving the Holtec Reorganization under PSL § 70.			
Name of Applicant or Sponsor: Holtec Indian Point 2, LLC, Holtec Indian Point 3, LLC, Nuclear Asset Management Company, LLC, Decommissioning Asset Management Company, LLC		Telephone: 856.797.0900 ext. 3993 E-Mail: W.Gill@holtec.com	
Address: 1 Holtec Blvd.			
City/PO: Camden		State: NJ	Zip Code: 08104
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		N/A acres	
b. Total acreage to be physically disturbed?		N/A acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): N/A to PSC approval of proposed action ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☒
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: <u>N/A to PSC approval of proposed action.</u>	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
<u>N/A to PSC approval of proposed action.</u>	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☒	☐	
<u>N/A to PSC approval of proposed action.</u>			
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☒	☐	
<u>N/A to PSC approval of proposed action.</u>			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
<u>N/A to PSC approval of proposed action.</u>			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☒	☐
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☒	☐
N/A to PSC approval of proposed action.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
N/A to PSC approval of proposed action.	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
N/A to PSC approval of proposed action.	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
N/A to PSC approval of proposed action	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: Holtec Indian Point 2, LLC, Holtec Indian Point 3, LLC, Nuclear Asset Management Company, LLC, Decommissioning Asset Management Company, LLC Date: May 6, 2026		
Signature:  Title: Vice President and General Counsel		
Digitally signed by William F. Gill IV DN: cn=William F. Gill IV, c=US, o=Holtec International, ou=Legal Department, email=w.gill@holtec.com Date: 2026.05.07 14:00:14 -04'00'		

Exhibit C

Draft State Administrative Procedure Act Notice

**PROPOSED RULEMAKING
NO HEARING(S) SCHEDULED**

Review of an Intra-Corporate Reorganization Under Public Service Law Section 70

I.D. No. PSC-

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedures Act, NOTICE is hereby given of the following proposed rule:

Proposed action: The New York State Public Service Commission (the Commission) is considering a joint petition filed by Holtec Indian Point 2, LLC; Holtec Indian Point 3, LLC; Nuclear Asset Management Company, LLC; and Decommissioning Asset Management Company, LLC seeking a declaratory ruling that review under Public Service Law § 70 is not needed for an intra-corporate reorganization or, in the alternative, an order approving the intra-corporate reorganization under Public Service Law § 70.

Statutory Authority: Public Service Law § 70.

Subject: Joint Petition for a declaratory ruling that further review of an intra-corporate reorganization is not required or, in the alternative, an order approving the intra-corporate reorganization.

Purpose: To consider whether review of an intra-corporate reorganization is needed or, in the alternative, whether to approve the intra-corporate reorganization.

Substance of proposed rule: The Commission is considering a petition filed on May 6, 2026 by Holtec Indian Point 2, LLC; Holtec Indian Point 3, LLC; Nuclear Asset Management Company, LLC; and Decommissioning Asset Management Company, LLC requesting that the Commission find that review under Public Service Law § 70 is not needed for an intra-corporate reorganization or, in the alternative, issue an order approving the intra-corporate reorganization under Public Service Law § 70.

The full text of the joint petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: [_____].

Data, views or arguments may be submitted to: Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov.

Public comment will be received until: 60 days after publication of this notice.

***Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis
and Job Impact Statement***

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102 (2) (a) (ii) of the State Administrative Procedure Act.

(26-E-_____)