



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

ANDREW M. CUOMO
GOVERNOR

December 16, 2015

Audrey Zibelman
Chair, New York State Public Service Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350

Dear Chairwoman Zibelman:

As you know, early Monday evening Indian Point (IP) Unit 3 unexpectedly shut down for the sixth time this year. This is the thirteenth unplanned shut down at the Indian Point facility since June of 2012. During this same time period, Indian Point experienced another four planned but unanticipated shutdowns. This simply is unacceptable; New Yorkers deserve better from Indian Point's owners.

Just last week, IP Unit 2 experienced an unplanned shutdown due to a power failure of critical equipment. In May, a significant transformer fire caused Unit 3 to cease operations. These events in and of themselves are startling enough, but looking at a series of unplanned shutdowns that rise to the level of triggering additional oversight from the Nuclear Regulatory Commission (NRC) gives us more than cause for concern, it demonstrates that we have an obligation to act.

While thankfully none of these events resulted in the release of radiation, we must ensure that the twenty million people that live within the shadow of Indian Point are truly safe from a nuclear incident. Therefore, I am writing today to direct the Department of Public Service in its role of overseeing electric corporations in the State to ensure safe and adequate service, to immediately launch a full investigation into operations and safety protocols of the Indian Point nuclear facility. As part of this investigation, I would specifically request that you examine the capital and maintenance budgets at the plants and their potential impact on these outages, and the impact these sudden outages can have on the continued safe operation of the plants.

Indian Point operates today without a timely license for Unit 2 or Unit 3. New York State continues to argue vehemently before the Nuclear Regulatory Commission that it is time to retire this aging facility. These unplanned outages are intolerable and stand to support our contention that this facility and its aging infrastructure is at the end of its useful life. New York State will not sit idly by while the NRC and Entergy drag out the federal relicensing proceedings. While these facilities continue to operate beyond their license date, we have an obligation to ensure that they are properly maintained and that timely investments in critical infrastructure are neither delayed nor deferred. Please initiate your investigation immediately and be prepared to present your findings by February 15, 2016.

Sincerely,



ANDREW M. CUOMO

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