

August 30, 2007

MEMORANDUM TO: Luis A. Reyes  
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - COMGBJ-07-0003 - VIOLATION OF  
THE INDIAN POINT ORDER

The Commission has agreed that Entergy is in noncompliance with the July 30, 2007, Order requirement to obtain FEMA acceptance of the new Emergency Notification System (ENS), and place the new system in service as the primary ENS for alerting the public, by August 24, 2007.

The Commission believes that appropriate enforcement action should be taken. The Commission also believes that the final agency enforcement action should be informed by an assessment of Entergy's diligence in working with FEMA as well as FEMA's assessment of the acceptability of the new ENS. The Commission has disapproved the action to immediately proceed to propose a daily civil penalty in this case.

Enforcement action is a matter that has been delegated to the staff. The staff may proceed with its proposed course of action.

cc: Chairman Klein  
Commissioner McGaffigan  
Commissioner Jaczko  
Commissioner Lyons  
OGC  
CFO  
OCA  
OPA  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR