



Maine Yankee Atomic Power Company,
Connecticut Yankee Atomic Power Company,
Yankee Atomic Electric Company

Maine Yankee Atomic Power Company
321 Old Ferry Road
Wiscasset, ME 04578

Connecticut Yankee Atomic Power Company
362 Injun Hollow Road
East Hampton, CT 06424

Yankee Atomic Electric Company
49 Yankee Road
Rowe, MA 01367

For Immediate Release: February 25, 2019
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**In Fourth Win for Ratepayers Federal Judge
Awards Companies Approximately \$103.2 Million
in Decision on Motion for Partial Summary Judgment**

On February 21, 2019 U.S. Court of Federal Claims Judge Nancy Firestone issued her decision on a motion for partial summary judgment filed in July 2018 by Connecticut Yankee Atomic Power Company, Yankee Atomic Electric Company, and Maine Yankee Atomic Power Company awarding the three companies approximately \$103.2 million in undisputed damages for costs related to the federal government's continuing failure to honor its contractual obligations to remove spent nuclear fuel and Greater than Class C waste from the three sites for the period January 1, 2013 through December 31, 2016. The federal government has 60 days to appeal the decision. In her decision Judge Firestone awarded CYAPCO approximately \$40.7 million, YAEC \$28.1 million and MYAPCO \$34.4 million.

For this same time period, the three companies are seeking an additional \$1.2 million. Judge Firestone has scheduled a June trial to hear arguments on these disputed costs.

Wayne Norton, President of CYAPCO and YAEC and Chief Nuclear Office of MYAPCO, said, "We are very pleased to have been awarded an additional \$103.2 million in costs for our ratepayers resulting from the Department of Energy's continuing failure to honor its contractual obligations to begin removing spent nuclear fuel and Greater than Class C waste from our three sites, and we hope to recover the remaining \$1.2 million in costs following the June trial. We urge the federal government to fulfill its commitment to remove this material from our sites without further delay and end this costly cycle of litigation."

The Courts have previously awarded the three companies approximately \$472 million for Phases I - III of litigation resulting from the DOE's failure to meet its contractual obligations. The ongoing litigation between the three companies and the Department of

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Energy which began in 1998 is being conducted in phases as an earlier U.S. Federal Appeals Court decision ruled that utility companies, such as the three companies, cannot receive damage awards for costs that have not yet been incurred. As a result, the three companies have, and expect to continue to litigate with the DOE every several years to request damages for costs incurred by the Companies.

The Federal Energy Regulatory Commission (FERC) approved a filing in June 2013 following the award of the Phase I damages proceeds that accepted an agreement reached between the three Yankee Companies and the state utility regulators in Connecticut, Maine and Massachusetts that historically have intervened in the companies' FERC rate cases. That agreement detailed an approach for applying the Phase I damages proceeds and future damages awards that best serves the interests of the ratepayers in each of the states. The Phase I - III damages proceeds were disbursed in accordance with the 2013 FERC order.

“While recovering monetary damages from the federal government in the first three phases of litigation and the partial summary judgment decision in these Phase IV cases is positive for the ratepayers, it does not result in spent nuclear fuel and Greater than Class C waste being removed from our sites. We urge Congress to authorize and appropriate sustainable funding from the Nuclear Waste Fund to implement a pilot program to remove spent nuclear fuel and high-level waste from shut-down reactor sites and relocate it to one or more consolidated interim storage facilities and to complete the review of the Yucca Mountain license application. The three Yankee companies will continue to work closely with our stakeholders to hasten the day when the federal government fulfills its obligation to remove the spent nuclear fuel and Greater than Class C waste from our sites so that they can be reused for other purposes and the cost burden on ratepayers and taxpayers is lifted,” said Norton.

Information about the 3 Yankee companies can be accessed at 3yankees.com