

THE STATE OF NEW HAMPSHIRE
NUCLEAR DECOMMISSIONING FINANCING COMMITTEE
DOCKET NO. NDFC 2007-1

ORDER NO. 3

1 Pursuant to the Final Report and Order of the Nuclear Decommissioning
2 Financing Committee (NDFC or Committee) in NDFC Docket 2007-1 (Final
3 Order) issued on December 12, 2007, the Nuclear Decommissioning Financing
4 Committee (NDFC) ordered as follows:

5 **FURTHER ORDERED**, that after the escrow fund balances for
6 December 31, 2007 are confirmed by an independent auditor, the NDFC
7 will release to FPLE Seabrook all but \$2.5 million from FPLE Seabrook's
8 escrow account; and it is

9
10 Final Order at 39.

11 On March 7, 2008, FPLE Seabrook, as Seabrook Managing Agent,
12 provided copies of the audit of the Second Amended and Restated Escrow
13 (Escrow) as of December 31, 2007 performed by Deloitte & Touche, dated
14 February 28 , 2008 (Audit). The Audit established that the Escrow balance on
15 December 31, 2007, was \$7,379,933.

16 The Escrow recognizes that “[o]nly the NDFC may direct or authorize the
17 Escrow Agent to release money from the Escrow Fund.” Escrow Section 2(a), at
18 5. The Escrow established the New Hampshire State Treasurer as the Escrow
19 Agent. Escrow at 1.

20 The submission of the Audit fulfills the requirement established by the
21 NDFC. Accordingly, Attachment No. 1 to this Order No. 3 is a Release
22 Certificate, in the form established in the Escrow, authorizing the Escrow Agent

23 to release the amount of \$4,879,933 (that is, \$7,379,933 minus \$2,500,000) from
24 the Escrow to FPLE Seabrook.

25 Because this Order memorializes compliance with requirements
26 established by a prior order of the Committee, submission of the Audit and
27 confirmation of the Escrow balance as of December 31, 2007 is sufficient basis
28 for the Committee to confirm compliance, and no public hearing is required.

29 By Order of the Nuclear Decommissioning Financing Committee this tenth day of
30 March, 2008.

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Thomas B. Getz
Chairman

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RELEASE CERTIFICATE

TO

CATHERINE PROVENCHER, NEW HAMPSHIRE STATE TREASURER

AS ESCROW AGENT

The undersigned, pursuant to Section 2 of the Second Amended and Restated Escrow Agreement dated as of December 22, 2006 among FPL Energy Seabrook, LLC (“FPLE Seabrook”), Massachusetts Municipal Wholesale Electric Company, Taunton Municipal Lighting Plant and Hudson Light and Power Department, the NDFC and you (the “Escrow Agreement”) (terms defined in the Escrow Agreement have the same meanings when used herein), hereby instructs you to instruct The Bank of New York (Delaware), formerly known as Mellon Trust of Delaware, National Association to pay to FPLE Seabrook from the FPLE Seabrook Escrow Fund FOUR MILLION EIGHT HUNDRED SEVENTY-NINE THOUSAND NINE HUNDRED THIRTY-THREE DOLLARS (\$4,879,933), by wire transfer of immediately available funds to the account of FPLE Seabrook as follows:

Bank Name: Bank of America
100 West 33rd Street
New York, NY 10001
ABA: 0260-0959-3

To Credit: FPL Energy Seabrook, LLC
Account No: 3752019317

The wire transfer is to be made within five business days of your receipt of this Certificate.

NUCLEAR DECOMMISSIONING FINANCING COMMITTEE

By: _____

Name: Thomas B. Getz

Title: Chairman

Dated: March 10, 2008