

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Dudley offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 89-125 and insert:

5 (b) The utility shall comply with the following
6 requirements in order to be eligible to recover any additional
7 costs associated with such plant pursuant to this section. For
8 purposes of this section, the term "additional costs" means any
9 and all costs associated with or related to the plant incurred
10 after December 31 of the year in which the utility receives a
11 license from the Nuclear Regulatory Commission.

12 (c) In its next filing with the Public Service Commission
13 after receiving a license from the Nuclear Regulatory
14 Commission, the utility shall present a firm cost for its
15 nuclear project in terms of:

280887

Approved For Filing: 4/29/2013 7:50:38 AM

Amendment No.

16 1. The total project cost, including all capital costs,
17 capitalized carrying costs, and preconstruction and carrying
18 costs that would be borne by customers if cost recovery were
19 granted pursuant to this section.

20 2. The projected total cost for energy to be produced by
21 the nuclear plant, both in total dollars per year and on a cents
22 per kilowatt-hour basis, for each year beginning with the year
23 that the plant achieves inservice status and continuing for 30
24 years thereafter, provided that all costs recovered before the
25 facility achieving inservice status are added into the projected
26 costs per kilowatt-hour on an equal, pro rata basis over the
27 first 10 years after the plant achieves inservice status.

28 3. The projected rate impacts on all customer classes for
29 each year beginning with the year after such filing and
30 continuing for 30 years after the plant is projected to achieve
31 inservice status.

32
33 In an order approving cost recovery for such additional costs,
34 the commission shall specify the maximum amounts that the
35 utility may recover in each year of the 30-year period, and
36 shall also specify the maximum rates that the utility may charge
37 its customers over the same 30-year period.

38 (d) The utility's testimony accompanying the filing
39 referred to in paragraph (a) shall include testimony by its
40 president or chief nuclear officer affirming that the utility
41 guarantees that the costs and rates shown in its exhibits are
42 the maximum amounts that the utility will seek to recover from
43 its customers associated with the plant through the 30-year

280887

Approved For Filing: 4/29/2013 7:50:38 AM

Amendment No.

44 period after the plant achieves inservice status. In proceedings
45 on such filing, the commission shall conduct a formal
46 evidentiary hearing in which the utility must prove that there
47 are no more demand side measures or supply side alternatives
48 available that would not meet projected electricity demand at a
49 lower cost per kilowatt-hour.

50 (e) In order to demonstrate that the utility has satisfied
51 this requirement, the utility, after having accounted for all
52 achievable demand-side measures that meet electricity demand at
53 a lower cost per kilowatt hour, shall have offered to purchase
54 amounts of alternative sources of energy, including renewable
55 energy, that can meet the remaining electricity demand that
56 would be produced by its proposed nuclear plant for the 30-year
57 period at prices that are no greater than 90 percent of the
58 yearly projected cost per kilowatt-hour for the nuclear energy.

59 (f) The Legislature encourages the use of a competitive
60 auction process among such energy providers in order to obtain
61 needed electricity at the lowest possible cost, as demonstrated
62 by competitive market forces. If a reliable energy provider
63 offers to provide such energy at prices that are no greater than
64 90 percent of the projected nuclear energy cost per kilowatt-
65 hour over the 30-year period, or if a competitive auction
66 process yields winning bid prices that are less than 90 percent
67 of the projected nuclear energy cost per kilowatt-hour over the
68 30-year period, the commission shall approve contracts between
69 the utility and such providers for cost recovery in accordance
70 with its normal practices.

71 (g)1. If a utility has not begun construction of a plant

Amendment No.

72
73
74
75
76
77
78
79
80

T I T L E A M E N D M E N T

Remove lines 7-9 and insert:
gasification combined cycle power plants; providing
requirements for certain cost recovery; providing