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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2013	.	
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The Committee on Communications, Energy, and Public Utilities (Flores) recommended the following:

1 **Senate Amendment to Amendment (241108) (with directory and**
2 **title amendments)**

3
4 Delete lines 12 - 85
5 and insert:
6 only costs related to, or necessary for, obtaining such
7 licensing or certification.

8 (c) After a utility obtains a license or certification, it
9 must petition the commission for approval before proceeding with
10 preconstruction work beyond those activities necessary to obtain
11 or maintain a license or certificate.

12 1. The only costs that a utility that has obtained a



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13 license or certification may recover before obtaining commission
14 approval are those that are previously approved or necessary to
15 maintain the license or certification.

16 2. In order for the commission to approve preconstruction
17 work on a plant, it must determine that:

18 a. There is still a need for the plant; and

19 b. The projected costs for the plant are reasonable.

20 (d) After a utility obtains approval to proceed with post-
21 licensing or post-certification preconstruction work, it must
22 petition the commission for approval of any preconstruction
23 materials or equipment purchases that exceed 1 percent of the
24 total projected cost for the project.

25 (e) A utility must petition the commission for approval
26 before beginning the construction phase.

27 1. The only costs that a utility that has obtained
28 commission approval may recover before beginning construction
29 work are those that are previously approved or necessary to
30 maintain the license or certification.

31 2. In order for the commission to approve proceeding with
32 construction on a plant, it must determine that:

33 a. There is still a need for the plant; and

34 b. The projected costs for the plant are reasonable.

35 (f) If a utility has not begun construction of a plant
36 within:

37 1. Ten years after the date on which it obtains a combined
38 license from the Nuclear Regulatory Commission for a nuclear
39 power plant or a certification for an integrated gasification
40 combined cycle power plant, it must petition the commission to
41 preserve the opportunity for future recovery under this section



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42 for costs relating to that plant. The commission must determine
43 whether the utility remains intent on building the plant.

44 a. If the commission finds that the utility remains intent
45 on building the plant, the utility may continue to recover
46 costs.

47 b. If the commission finds a lack of such intent, it may
48 enter an order prohibiting recovery of any future costs relating
49 to the plant, notwithstanding any other provision of law.

50 2. Twenty years after the date on which it obtains a
51 combined license from the Nuclear Regulatory Commission for a
52 nuclear power plant or a certification for an integrated
53 gasification combined cycle power plant, the utility may not
54 recover future costs relating to that plant under this or
55 another section, notwithstanding any other provision of law.

56
57 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

58 And the directory clause is amended as follows:

59 Delete line 91

60 and insert:

61 Section 1. Subsections (1) through (3) of section

62
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete lines 101 - 103

66 and insert:

67 an