

SB 1472 – 5/2/13 Update

Senate bill 1472 passed the Senate today unanimously. Having passed by both chambers, it is now headed to the governor for his signature. Overall, the bill adds more procedure, but still grants the PSC much discretion on how to interpret criteria for further cost recovery.

Substantive bill provisions

- Prior to obtaining a NRC license, the utility only may recover costs associated with the pursuance of the license.
- The utility must petition the Public Service Commission (PSC) for moving ahead on preconstruction and must prove: 1) the plant remains feasible, and 2) the projected costs are reasonable and prudent.
- During the preconstruction phase, the utility must petition the Commission for approval for any preconstruction costs that exceed 1 percent of the total projected cost for the project.
- The utility must petition the PSC again before moving ahead on construction and must prove: 1) the plant is remains feasible, and 2) the projected costs are reasonable and prudent.
- The utility must begin construction within 10 years of getting a license from the NRC or petition the PSC to preserve the right to recover by showing an “intent to build.”
- Creates “intent to build” standard, it establishes that the utility “proves by a preponderance of the evidence that it has committed sufficient, meaningful, and available resources to enable the project to be completed and that its intent is realistic and practical.” The interpretation of the standard will rest on the PSC.
- The utility may not recover costs beyond 20 years after obtaining its NRC license.