



368550

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/16/2013	.	
	.	
	.	
	.	

---

---

The Committee on Community Affairs (Latvala and Simpson)  
recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 138 and 139  
insert:

(6) If the utility does ~~elects~~ not ~~to~~ complete ~~or is~~  
~~precluded from completing~~ construction of the nuclear power  
plant, including new, expanded, or relocated electrical  
transmission lines or facilities necessary thereto, or of the  
integrated gasification combined cycle power plant, the utility  
may ~~shall be allowed to~~ recover all prudent preconstruction and  
construction costs incurred following the commission's issuance  
of a final order granting a determination of need for the



368550

13 nuclear power plant and electrical transmission lines and  
14 facilities necessary thereto or for the integrated gasification  
15 combined cycle power plant. The utility shall recover such costs  
16 through the capacity cost recovery clause over a period equal to  
17 the period during which the costs were incurred or 5 years,  
18 whichever is greater. The unrecovered balance during the  
19 recovery period will accrue interest at the utility's weighted  
20 average cost of capital as reported in the commission's earnings  
21 surveillance reporting requirement for the prior year. However,  
22 if the utility elects not to complete construction of the  
23 nuclear power plant, rather than being precluded from completing  
24 such construction, the utility may not recover or retain any  
25 rate of return. Any cost recovery after the date of the decision  
26 not to complete construction of the plant may not include a rate  
27 of return. A utility that elects not to complete construction  
28 shall refund to its customers the costs recovered before the  
29 date of the decision which are attributable to a recovery of a  
30 rate of return.

31  
32 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

33 And the directory clause is amended as follows:

34 Delete line 20

35 and insert:

36 Section 1. Subsections (1), (2), (3), and (6) of section  
37 366.93,

38  
39 ===== T I T L E A M E N D M E N T =====

40 And the title is amended as follows:

41 Delete line 9



368550

42 and insert:  
43       on preconstruction and construction phases; providing  
44       that a utility that elects not to complete  
45       construction of a nuclear power plant may not recover  
46       or retain any rate of return for related costs;  
47       requiring