

HB 261 -- NUCLEAR CLEAN POWER ACT

SPONSOR: Black (137)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Utilities by a vote of 6 to 3. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 9 to 4.

This bill creates the "Missouri Nuclear Clean Power Act", which allows clean base load electric generating plants or facilities rated at 200 megawatts or more that utilize renewable sources to produce energy not in commercial operation as of August 28, 2021, to charge for costs associated with construction work in progress before the facility is operational.

The costs recovered by an electrical corporation are subject to inclusion or exclusion in a ratemaking proceeding under the authority of the Public Service Commission. The Commission may also authorize an electrical corporation to charge for additional amortization to maintain the corporations financial ratios that will better allow to cost-effectively construct a clean baseload generating plant or a renewable source generating facility.

This bill is similar to HB 1784 (2020).

PROPOSERS: Supporters say that Missouri and New Hampshire are the only two states with a complete ban on charging ratepayers for construction work in progress. Coal and nuclear fueled power generation are the only two sources that can operate without interruption from outside events. However, only a new nuclear plant would meet more stringent air emissions requirements. Without this bill, building new baseload generation is cost prohibitive.

Testifying for the bill were Representative Black; City Utilities of Springfield; , Missouri Association of Municipal Utilities; Ron Boyer; Association of Missouri Electric Cooperatives; and Missouri Farm Bureau. There was additional written testimony submitted in support of the bill.

OPPOSERS: Those who oppose the bill say that the current construction work in progress prohibition was passed by the voters in the late 1970s. It is important that the investor-owned utilities invest in the product they supply before charging ratepayers. In recent years, many new nuclear facility projects have been abandoned prior to completion. It is not fair to charge ratepayers for a project from which they never see a benefit.

Testifying against the bill were Consumers Council of Missouri and American Association of Retired Persons; Renew Missouri Advocates; and the Midwest Energy Consumers Group. There was addition written testimony submitted in opposition to the bill.

OTHERS: There was written testimony submitted for informational purposes.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.