

AMENDED IN ASSEMBLY JUNE 7, 2007

AMENDED IN ASSEMBLY JUNE 5, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MAY 17, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1046

**Introduced by Assembly Member Leno
(Coauthors: Assembly Members Huffman and Nava)**

February 22, 2007

An act to add Section 25542.3 to the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1046, as amended, Leno. Nuclear fission thermal powerplants.

The Warren-Alquist State Energy Resources Conservation and Development Act, requires by November 1, 2008, the Energy Commission to assess the potential state and local costs and impacts associated with accumulating waste at California's nuclear powerplants.

This bill would prohibit the Public Utilities Commission from allowing an investor-owned utility to recover specified costs, *except certain described costs*, incurred in seeking renewal of certification to operate a nuclear fission thermal powerplant, unless the Energy Commission has completed its assessment prior to the investor-owned utility filing an application for license renewal with the Nuclear Regulatory Commission.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25542.3 is added to the Public Resources
2 Code, to read:
3 25542.3. Unless the commission has completed the assessment
4 required by subdivision (c) of Section 25303 prior to an
5 investor-owned utility filing an application for license renewal
6 with the Nuclear Regulatory Commission to operate a nuclear
7 fission thermal powerplant requiring the reprocessing of fuel rods,
8 the Public Utilities Commission shall not allow the utility to
9 recover any of the following costs:
10 (a) Costs associated with the filing of an application for Nuclear
11 Regulatory Commission certification renewal.
12 (b) Costs of improvements at the facility necessary to meet the
13 license renewal requirements of the Nuclear Regulatory
14 Commission, *except improvements necessary for prudent and safe*
15 *operation during the term of the facility's existing Nuclear*
16 *Regulatory Commission certification.*
17 ~~(c) Costs of operating the facility beyond the term of its existing~~
18 ~~Nuclear Regulatory Commission certification.~~