

**66-128m. Same; decommissioning financing plan.** (a) Any licensee operating a nuclear power generating facility located in the state on the effective date of this act shall submit a proposed decommissioning financing plan for the facility to the commission not later than December 31, 1985. Any licensee constructing such a facility on the effective date of this act shall submit such a plan to the commission before commercial operation of the facility.

- (b) The decommissioning financing plan shall include:
- (1) An estimate of the date of closing of the nuclear power generating facility;
  - (2) an estimate of the cost of decommissioning the facility, expressed in dollars current in the year the plan is prepared, and based on an engineering report issued within three years of the date the plan is submitted to the commission;
  - (3) the share of the estimated decommissioning costs attributed to each owner;
  - (4) a plan for funding the decommissioning;
  - (5) plans for periodic review and updating of the plan, including the cost of decommissioning estimated under paragraph (2);
  - (6) the amount of money which customers of each owner have been charged for the decommissioning up to the date of submission of the plan and the total amount necessary to meet the projected decommissioning costs of the facility, over the remaining useful life of the facility;
  - (7) plans and options for insuring against or otherwise financing premature closing of the facility;
  - (8) reasonable assurance of responsibility in the event of insufficient assets to fund the decommissioning;
  - (9) a description of the stages by which decommissioning is intended to be accomplished;
  - (10) a fully executed decommissioning financing agreement between the licensee and each owner, evidencing each owner's acceptance of its respective share of the ultimate financial responsibility for decommissioning. In satisfaction of this requirement, the licensee may submit existing ownership agreements together with documentation from each owner of the applicability of the agreement to the case of financial responsibility for decommissioning; and
  - (11) any other information related to the financing of decommissioning which the commission requests.

**History:** L. 1985, ch. 225, § 56; July 1.