

HB1337\_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB26-1337 be amended as follows:

1 Amend printed bill, page 2, line 5, after "ADVANCED" insert  
2 "NUCLEAR".

3 Page 3, strike line 20 and substitute "ENERGY PROJECT THAT HAS BEEN  
4 ISSUED A LICENSE TO CONSTRUCT AND OPERATE A NUCLEAR FACILITY  
5 FROM THE UNITED STATES NUCLEAR REGULATORY COMMISSION IN  
6 ACCORDANCE WITH THE FEDERAL "ATOMIC ENERGY ACT OF 1954", 42  
7 U.S.C. SECS. 2131 TO 2142."

8 Page 3, strike lines 26 and 27 and substitute:

9 "(6) "OFFICE" MEANS THE ADVANCED NUCLEAR ENERGY  
10 DEVELOPMENT AND TECHNICAL ASSISTANCE OFFICE CREATED IN SECTION  
11 24-38.5-603."

12 Page 4, strike lines 3 through 5 and substitute:

13 "**24-38.5-603. Advanced nuclear energy development and**  
14 **technical assistance office - creation - duties.**

15 (1) THERE IS CREATED IN THE COLORADO ENERGY OFFICE THE  
16 ADVANCED NUCLEAR ENERGY DEVELOPMENT AND TECHNICAL ASSISTANCE  
17 OFFICE.

18 (2) THE DIRECTOR OF THE COLORADO ENERGY OFFICE SHALL  
19 APPOINT THE DIRECTOR OF THE OFFICE."

20 Renumber succeeding subsections accordingly.

21 Page 4, after line 21 insert:

22 "(5) THE OFFICE SHALL COORDINATE ONLY WITH A LOCAL  
23 GOVERNMENT THAT RESPONDS TO THE REQUEST FOR INFORMATION  
24 SOLICITED BY AN INVESTOR-OWNED UTILITY PURSUANT TO SECTION  
25 40-2-140 (2)(a)(I)."

26 Renumber succeeding subsection accordingly.

27 Page 5, line 9, strike "(3)(a)(II)(B)" and substitute "(6)(a)(II)(B)".

28 Page 5, after line 17 insert:

29 "(7) ANY NUCLEAR ENERGY PLANNING FRAMEWORK OR OTHER

1 REGULATORY REQUIREMENTS RELATED TO THE DEVELOPMENT OR  
2 DEPLOYMENT OF NUCLEAR ENERGY TECHNOLOGY BY A DEVELOPER IN THE  
3 STATE MUST INCLUDE REQUIREMENTS THAT A PROJECT THAT IS AN ENERGY  
4 SECTOR PUBLIC WORKS PROJECT, AS DEFINED IN SECTION 24-92-303 (5),  
5 COMPLY WITH THE STATE PREVAILING WAGE SET FORTH IN PART 3 OF  
6 ARTICLE 92 OF THIS TITLE 24 AND THE APPRENTICESHIP UTILIZATION  
7 REQUIREMENTS SET FORTH IN SECTION 24-92-115 (7) AND IS SUBJECT TO  
8 THE REQUIREMENTS SET FORTH IN SECTIONS 24-92-305 TO 24-92-307.

9 **24-38.5-604. Advanced nuclear energy development fund -**  
10 **creation - annual fee.**

11 (1) THE ADVANCED NUCLEAR ENERGY DEVELOPMENT FUND IS  
12 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY  
13 CREDITED TO THE FUND PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION  
14 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE  
15 OR TRANSFER TO THE FUND.

16 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
17 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
18 FUND TO THE FUND.

19 (3) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
20 OFFICE FOR PROVIDING:

21 (a) TECHNICAL ASSISTANCE TO AN INVESTOR-OWNED UTILITY  
22 THAT IS A DEVELOPER TO AVOID REGULATORY DELAYS AND REGULATORY  
23 OBSTACLES; AND

24 (b) EXPERT STAFF CAPACITY.

25 (4)(a) AN INVESTOR-OWNED UTILITY THAT IS A DEVELOPER SHALL  
26 PAY TO THE OFFICE AN ANNUAL FEE. THE AMOUNT OF THE FEE IS  
27 DETERMINED BY THE DIRECTOR OF THE OFFICE, NOT TO EXCEED ONE  
28 MILLION ONE HUNDRED AND FIFTY THOUSAND DOLLARS.

29 (b) THE OFFICE SHALL DEPOSIT THE ANNUAL FEE INTO THE FUND."

30 Page 5, strike line 25 and substitute "ENERGY PROJECT THAT HAS BEEN  
31 ISSUED A LICENSE TO CONSTRUCT AND OPERATE A NUCLEAR FACILITY  
32 FROM THE UNITED STATES NUCLEAR REGULATORY COMMISSION IN  
33 ACCORDANCE WITH THE FEDERAL "ATOMIC ENERGY ACT OF 1954", 42  
34 U.S.C. SECS. 2131 TO 2142.

35 (b) "JUST TRANSITION COMMUNITY" HAS THE SAME MEANING AS  
36 "COAL TRANSITION COMMUNITY", AS DEFINED IN SECTION 8-83-502 (1)."

37 Reletter succeeding paragraphs accordingly.

38 Page 6, strike lines 4 and 5 and substitute:

39 "(e) "OFFICE" MEANS THE ADVANCED NUCLEAR ENERGY

- 1 DEVELOPMENT AND TECHNICAL ASSISTANCE OFFICE CREATED IN SECTION  
2 24-38.5-603."
- 3 Page 6, line 7, strike "CUSTOMERS SHALL:" and substitute "CUSTOMERS:".
- 4 Page 6, line 8, after "2027," insert "SHALL".
- 5 Page 6, line 9, strike "COMMUNITIES AND".
- 6 Page 6, line 11, after "2027," insert "SHALL".
- 7 Page 6, line 15, strike "IDENTIFY," and substitute "MAY IDENTIFY,".
- 8 Page 6, line 25, after "PROJECTS," insert "SHALL".
- 9 Page 7, strike line 1 and substitute "117-169, OR A JUST TRANSITION  
10 COMMUNITY; AND".
- 11 Page 7, line 2, after "PRACTICABLE," insert "SHALL".
- 12 Page 7, line 11, strike "SHALL APPROVE," and substitute "MAY APPROVE,  
13 MODIFY, OR DENY,".
- 14 Page 7, line 15, after "STATE." add "COMMISSION APPROVAL OF AN  
15 APPLICATION CONFERS A PRESUMPTION OF PRUDENCE FOR THE STUDIES.".
- 16 Page 8, strike line 1 and substitute "(6)(a)(II)(B)".
- 17 Page 8, line 4, strike "24-38.5-603 (3)(a)(II)(B)." and substitute  
18 "24-38.5-603 (6)(a)(II)(B)".
- 19 Page 8, after line 10 insert:
- 20 "(5) AN INVESTOR-OWNED UTILITY THAT IS A DEVELOPER EARNS  
21 A WEIGHTED AVERAGE COST OF CAPITAL RETURN ON ANY DEFERRED  
22 EXPENDITURES AND MAY RECOVER ANY ANNUAL FEE PAID TO THE OFFICE  
23 PURSUANT TO SECTION 24-38.5-604 (4)(a) IN THE SAME MANNER AS STUDY  
24 EXPENDITURES."

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