



## 2009 SENATE BILL 340

October 8, 2009 – Introduced by Senators LEIBHAM, DARLING, GROTHMAN, KANAVAS, KEDZIE, A. LASEE, LAZICH, OLSEN, SCHULTZ and SULLIVAN, cosponsored by Representatives HUEBSCH, MONTGOMERY, BALLWEG, BROOKS, GUNDERSON, HONADEL, KERKMAN, KESTELL, KNODL, LEMAHIEU, LOTHIAN, NYGREN, A. OTT, PETERSEN, RHOADES, RIPP, STONE, STRACHOTA, SUDER, TOWNSEND, VAN ROY, VOS, ZIEGELBAUER, ZIPPERER and NERISON. Referred to Committee on Commerce, Utilities, Energy, and Rail.

1     **AN ACT** *to repeal* 196.493; and *to amend* 196.491 (3) (d) (intro.) of the statutes;  
2     **relating to:** requirements for approval of construction of nuclear power plants.

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### ***Analysis by the Legislative Reference Bureau***

Under current law, a person may not construct a new power plant unless the Public Service Commission (PSC) has issued a certificate to the person. The PSC may not issue a certificate unless specified requirements are satisfied. In addition, if the proposed power plant is a nuclear power plant, current law prohibits the PSC from issuing a certificate unless the PSC finds both of the following: 1) that there is a facility with sufficient capacity to receive the spent fuel from all nuclear power plants in the state; and 2) that construction of the power plant is economically advantageous to ratepayers based on specified factors.

This bill eliminates the additional findings required under current law for a proposed nuclear power plant.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3     **SECTION 1.** 196.491 (3) (d) (intro.) of the statutes is amended to read:  
4     196.491 (3) (d) (intro.) Except as provided under par. (e) and ~~s. 196.493~~, the  
5     commission shall approve an application filed under par. (a) 1. for a certificate of

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1 public convenience and necessity only if the commission determines all of the  
2 following:

3 **SECTION 2.** 196.493 of the statutes is repealed.

4 **(END)**