2007 DRAFTING REQUEST

Bill

Received: 03/02/2007

Received: 03/02/2007 Wanted: As time permits				Received By: mkunkel				
					Identical to LRB:			
For: Le	egislative Coun	cil - JLC			By/Representing: John Stolzenberg Drafter: mkunkel Addl. Drafters:			
This fil	e may be shown	n to any legislat	tor: NO					
May Co	ontact:							
Subject	Subject: Public Util electric				Extra Copies:			
Submit	via email: YES	erigina eri						
· -	ter's email: copy (CC:) to: pic:	john.stolze	enberg@legis	s.wisconsin	.gov			
No spec	cific pre topic g	iven						
Investig Instruction See Atta	gation of electric	e supplies after	operating lice	nses of nuc	lear power plants	expire		
Draftin	g History:				1		**************************************	
<u>Vers.</u> /?	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required State	
/P1	mkunkel 03/02/2007 mkunkel 03/06/2007	kfollett 03/06/2007 kfollett 03/06/2007	pgreensl 03/06/2007		sbasford 03/06/2007		State	
/1			pgreensl 03/06/2007		cduerst 03/06/2007	mbarman 05/14/2007		

LRB-2130 05/14/2007 12:50:19 PM Page 2

FE Sent For: at wo

<END>

2007 DRAFTING REQUEST

Bill

Received: 03/02/2007

Receive	ed: 03/02/2007				Received By: m	kunkel		
Wanted: As time permits For: Legislative Council - JLC					Identical to LRB: By/Representing: John Stolzenberg			
This file	e may be shown	n to any legislat	or: NO		Drafter: mkunkel			
May Co	ontact:				Addl. Drafters:			
Subject	: Public	Util electric			Extra Copies:			
Submit	via email: YES	en e						
Request	ter's email:	john.stolze	enberg@legis	wisconsin.	gov			
Carbon	copy (CC:) to:							
Pre To	pic:							
No spec	rific pre topic g							
Topic:	The state of the s							
Investig	ation of electric	supplies after	operating lice	nses of nucl	ear power plants	expire		
Instruc	tions:			**************************************				
See Atta	ached							
Draftin	g History:							
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
/?				***************************************			State	
/P1	mkunkel 03/02/2007 mkunkel 03/06/2007	kfollett 03/06/2007 kfollett 03/06/2007	pgreensl 03/06/2007		sbasford 03/06/2007		State	
/1			pgreensl 03/06/2007		cduerst 03/06/2007			

LRB-2130 03/06/2007 11:37:42 AM Page 2

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 03/02/2007

Received By: mkunkel

Wanted: As time permits

Identical to LRB:

For: Legislative Council - JLC

By/Representing: John Stolzenberg

This file may be shown to any legislator: NO

Drafter: mkunkel

May Contact:

Addl. Drafters:

Subject:

Public Util. - electric

Extra Copies:

Submit via email: YES

Requester's email:

john.stolzenberg@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Investigation of electric supplies after operating licenses of nuclear power plants expire

Instructions:

See Attached

Drafting History:

Vers. Drafted

afted Reviewed

Typed

Proofed

Submitted

Jacketed

Required

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State

/P1

mkunkel 03/02/2007 kfollett

pgreensl 03/06/2007

sbasford 03/06/2007

FE Sent For:

/FND

2007 DRAFTING REQUEST

Bill

Received: 03/02/2007	Received By: mkunke
	ACCOUNT OF DITTERMENTALE.

Wanted: **As time permits**Identical to LRB:

For: Legislative Council - JLC By/Representing: John Stolzenberg

This file may be shown to any legislator: **NO**Drafter: **mkunkel**

May Contact: Addl. Drafters:

Subject: Public Util. - electric Extra Copies:

Submit via email: YES

Requester's email: john.stolzenberg@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Investigation of electric supplies after operating licenses of nuclear power plants expire

Instructions:

See Attached

Drafting History:

<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

/? mkunkel /PIGT 21 21

FE Sent For:

Kunkel, Mark

From:

Stolzenberg, John

Sent:

Tuesday, February 27, 2007 11:48 AM

To: Cc: Kunkel, Mark Lovell, David

Subject:

Revised drafting instructions on nuclear power study committee recommendations

Attachments:

0061/3

Mark,

Here's a revised version of one of the drafts for the Special Committee on Nuclear Power. Please use WLC: 0061/3 in place of WLC: 0061/2 in the drafting instructions I previously provided to you.

Let me know if you have any questions on WLC: 0061/3.

Thanks.

John



00613.pdf (12 KB)

John Stolzenberg Legislative Council 266-2988 NPOWR: Future Electric Supply Investigation

WLC: 0061/3

JES:jal:ksm

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02/27/2007

2130

- AN ACT to amend 196.491 (3) (dm) of the statutes; relating to: requiring the public service commission to investigate future electric supplies after the operating licenses of nuclear power plants in the state expire.
 - The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Joint Legislative Council Prefatory Note: This bill draft was prepared for the joint legislative council's special committee on nuclear power. The draft directs the public service commission (PSC) to undertake an investigation of alternative strategies that the state could pursue to meet the anticipated demand for electricity in 2033, by which date it is expected that the operating licenses of the nuclear power plants currently operating in Wisconsin will have expired. The investigation must be based on the development of scenarios that project in the forecast period the total demand for electricity and the proportions of electricity that are expected to be generated by different types of feel. The draft specifies certain elements and assumptions that the PSC must incorporate into the design and preparation of these scenarios.

fuel

The draft directs the PSC to appoint a committee to advise the PSC on the investigation and its report on the investigation. The draft requires the Energy Institute of the University of Wisconsin–Madison to assist the PSC in conducting the investigation. The draft directs the PSC to submit its report on the investigation to the legislature within 18 months after the draft's effective date.

The draft establishes that, in making a determination necessary for the PSC to approve a certificate of public convenience and necessity (CPCN) for a new large power plant or high-voltage transmission line, the PSC may not consider a factual conclusion in the PSC's report on the investigation unless the conclusion is independently corroborated in the PSC's hearing on the CPCN application.

- SECTION 1. 196.491 (3) (dm) of the statutes is amended to read:
- 5 196.491 (3) (dm) In making a determination required under par. (d), the commission
- 6 may not consider a factual conclusion in a strategic energy assessment or the report required

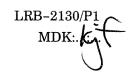
1	under 2007 Wisconsin Act (this act), Section 2 (1) (e) unless the conclusion is
2	independently corroborated in the hearing under par. (b).
3	SECTION 2. Nonstatutory provisions. (1) Public service commission. (a) The public
4	service commission shall undertake an investigation of alternative strategies that the state
5	could pursue to meet the expected demand for electricity in the state in 2033, the final year
6	in which the operating licenses of the nuclear power plants in Wisconsin are set or expected
7	to expire. The study shall be designed to provide guidance to the commission, the legislature,
8	and the electric power industry in formulating policy and conducting planning regarding the
9	future sources of electric power that will be available in this state, including intermediate and
10	longer-term strategies for achieving alternative outcomes identified in the investigation.
11	(b) The public service commission shall base the investigation under paragraph (a) on
12	the development of scenarios that project in the forecast period the total demand for electricity
13	and the proportions of electricity that are expected to be generated by different types of fuels.
14	The commission shall do all of the following in designing and preparing these scenarios:
15	2 1. Incorporate appropriate factors, including the continuation of a reliable and adequate
16	supply of electricity, the expected retirement of existing electric generating facilities and
17	construction of new electric generating facilities, the importation of electricity into the state,
18	and expected improvements in the electric transmission system.
19	2. Include one or more scenarios that include electric generating technologies that use
20	coal as a fuel and produce no or minimal emissions of carbon dioxide, or that use nuclear fuel
21	in advanced light water reactors, separately and in combination.
22	C 3. Base the scenarios on the assumed implementation of a range of energy efficiency
23	programs, ranging from continuation of the current programs to implementation of programs
24	that produce the maximum energy savings foreseen by the commission, and of a range of

15	(END)
14	beginning after publication.
13	provided under section 13.172 (3) of the statutes, no later than the first day of the 19th month
12	investigation under this section and shall submit the report to the legislature in the manner
11	6(f) The public service commission shall prepare a report on the results of its
10	service commission in conducting the investigation under this subsection.
9	(e) The energy institute of the University of Wisconsin-Madison shall assist the public
8	service commission in conducting the investigation under this subsection.
7.,	(d) The energy institute of the University of Wisconsin-Madison shall assist the public
6	15.04 (1) (c) of the statutes to assist in the investigation and report required under this section.
5	(c) The public service commission shall appoint an advisory committee under section
4	using established methodologies that facilitate comparisons of the scenarios.
3	4. Identify the expected economic costs and environmental impacts of each scenario
2	from \$0 per ton to the highest amount per ton foreseen by the commission.
1	regulatory programs that result in an effective cost of air emissions of carbon dioxide ranging



State of Misconsin 2007 - 2008 LEGISLATURE





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Bu Tues.

(Gen)

(FE-S)

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AN ACT ...; relating to: requiring the public service commission to investigate

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future electric supplies after the operating licenses of nuclear power plants in the state expire.

Analysis by the Legislative Reference Bureau

This bill is explained in the Note provided by the Joint Legislative Council in the bill.

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

change change bottom hote: picf helow: 0 Joint Legislative Council's Special Committee on Nuclear Power. The bill directs the Public Service Commission (PSC) to undertake an investigation of alternative strategies that the state could pursue to meet the anticipated demand for electricity in 2033, by which date it is expected that the operating licenses of the nuclear power plants currently operating in Wisconsin will have expired. The investigation must be based on the development of scenarios that project in the forecast period the total demand for electricity and the proportions of electricity that are expected to be generated by different types of fuel. The bill specifies certain elements and assumptions that the PSC must incorporate into the design and preparation of these scenarios.

The bill directs the PSC to appoint a committee to advise the PSC on the investigation and its report on the investigation. The bill requires the Energy Institute

of the University of Wisconsin–Madison to assist the PSC in conducting the investigation. The bill directs the PSC to submit its report on the investigation to the legislature within 18 months after the bill's effective date.

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The bill provides that, in making a determination necessary for the PSC to approve a certificate of public convenience and necessity (CPCN) for a new large power plant or high-voltage transmission line, the PSC may not consider a factual conclusion in the PSC's report on the investigation unless the conclusion is independently corroborated in the PSC's hearing on the CPCN application.

SECTION 1. 196.491 (3) (dm) of the statutes is amended to read:

196.491 (3) (dm) In making a determination required under par. (d), the commission may not consider a factual conclusion in a strategic energy assessment or the report required under 2007 Wisconsin Act... (this act), section 2 (6), unless the conclusion is independently corroborated in the hearing under par. (b).

History: 1975 c. 68, 199; 1979 c. 221, 361; 1983 a. 53 s. 114; 1983 a. 192, 401; 1985 a. 182 s. 57; 1989 a. 31; 1993 a. 184; 1995 a. 27 ss. 9116 (5), 9126 (19); 1995 a. 227, 409; 1997 a. 27, 35, 204; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 33, 89; 2005 a. 24, 29.

SECTION 2. Nonstatutory provisions.

- (1) In this section, "commission" means the public service commission.
- (2) The commission shall undertake an investigation of alternative strategies that the state could pursue to meet the expected demand for electricity in the state in 2033, which is the final year in which the operating licenses of the nuclear power plants in Wisconsin are set or expected to expire. The study shall be designed to provide guidance to the commission, the legislature, and the electric power industry in formulating policy and conducting planning regarding the future sources of electric power that will be available in this state, including intermediate and longer-term strategies for achieving alternative outcomes identified in the investigation.
- (3) The commission shall base the investigation under subsection (2) on the development of scenarios that project in the forecast period the total demand for electricity and the proportions of electricity that are expected to be generated by

- different types of fuels. The commission shall do all of the following in designing and preparing these scenarios:
- (a) Incorporate appropriate factors, including the continuation of a reliable and adequate supply of electricity, the expected retirement of existing electric generating facilities, and construction of new electric generating facilities, the importation of electricity into the state, and expected improvements in the electric transmission system.
- (b) Include scenarios that include electric generating technologies that use coal as a fuel and produce no or minimal emissions of carbon dioxide, that use nuclear fuel in advanced light water reactors, and that use both types of technologies.
- (c) Base the scenarios on the assumed implementation of a range of energy efficiency programs, ranging from continuation of the current programs to implementation of programs that produce the maximum energy savings foreseen by the commission, and of a range of regulatory programs that result in an effective cost of air emissions of carbon dioxide ranging from \$0 per ton to the highest amount per ton foreseen by the commission.
- (d) Identify the expected economic costs and environmental impacts of each scenario using established methodologies that facilitate comparisons of the scenarios.
- (4) The commission shall appoint an advisory committee under section 15.04(1) (c) of the statutes to assist in the investigation and report required under this section.
- (5) The Energy Institute of the University of Wisconsin–Madison shall assist the commission in conducting the investigation under this section.

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LRB-2130/P1 MDK:...:... SECTION 2

(END)

D-Noth

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-2130/P1dn MDK:../C



John Stolzenberg:

This bill corresponds to WLC: 0061/3. If you don't want to add additional notes, let me know, and I will prepare a "/1" version.

Also note that I changed Section 2 (3) (b) to clarify what the scenarios are required to include.

Mark D. Kunkel Senior Legislative Attorney Phone: (608) 266-0131

 $E-mail: \ mark.kunkel@legis.wisconsin.gov$

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-2130/P1dn MDK:kjf:pg

March 6, 2007

John Stolzenberg:

This bill corresponds to WLC: 0061/3. If you don't want to add additional notes, let me know, and I will prepare a "/1" version.

Also note that I changed Section $2\,(3)\,(b)$ to clarify what the scenarios are required to include.

Mark D. Kunkel Senior Legislative Attorney Phone: (608) 266-0131

 $E-mail: \ mark.kunkel@legis.wisconsin.gov$

Kunkel, Mark

From:

Stolzenberg, John

Sent:

Tuesday, March 06, 2007 11:08 AM

To: Cc: Kunkel, Mark Lovell, David

Subject:

RE: 07-2130

Hi Mark,

I've received LRB-2130/P1, the 3rd draft for the Special Committee on Nuclear Power. It looks fine, so please go ahead and prepare the "/1" version based on no changes in the "/P1" version.

Thanks much.

John

John Stolzenberg, Legislative Council 266-2988

From:

Kunkel, Mark

Sent:

Tuesday, March 06, 2007 10:28 AM

To:

Stolzenberg, John

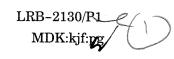
Subject:

07-2130

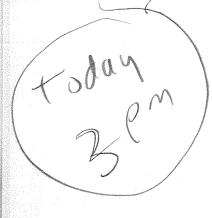
The draft is through editing and in typing, so it should be availble fairly soon.



State of Misconsin 2007 - 2008 LEGISLATURE



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



3





1 AN ACT to amend 196.491 (3) (dm) of the statutes; relating to: requiring the

Public Service Commission to investigate future electric supplies after the

operating licenses of nuclear power plants in the state expire.

Analysis by the Legislative Reference Bureau

This bill is explained in the Note provided by the Joint Legislative Council in the bill.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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

Joint Legislative Council's Special Committee on Nuclear Power. The bill directs the Public Service Commission (PSC) to undertake an investigation of alternative strategies that the state could pursue to meet the anticipated demand for electricity in 2033, by which date it is expected that the operating licenses of the nuclear power plants currently operating in Wisconsin will have expired. The investigation must be based on the development of scenarios that project in the forecast period the total demand for electricity and the proportions of electricity that are expected to be generated by different types of fuel. The bill specifies certain elements and assumptions that the PSC must incorporate into the design and preparation of these scenarios.

The bill directs the PSC to appoint a committee to advise the PSC on the investigation and its report on the investigation. The bill requires the Energy Institute

of the University of Wisconsin–Madison to assist the PSC in conducting the investigation. The bill directs the PSC to submit its report on the investigation to the legislature within 18 months after the bill's effective date.

The bill provides that, in making a determination necessary for the PSC to approve a certificate of public convenience and necessity (CPCN) for a new large power plant or high-voltage transmission line, the PSC may not consider a factual conclusion in the PSC's report on the investigation unless the conclusion is independently corroborated in the PSC's hearing on the CPCN application.

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196.491 (3) (dm) In making a determination required under par. (d), the commission may not consider a factual conclusion in a strategic energy assessment or the report required under 2007 Wisconsin Act (this act), section 2 (6), unless the conclusion is independently corroborated in the hearing under par. (b).

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- (b) Include scenarios that include electric generating technologies that use coal as a fuel and produce no or minimal emissions of carbon dioxide, that use nuclear fuel in advanced light water reactors, and that use both types of technologies.
- (c) Base the scenarios on the assumed implementation of a range of energy efficiency programs, ranging from continuation of the current programs to implementation of programs that produce the maximum energy savings foreseen by the commission, and of a range of regulatory programs that result in an effective cost of air emissions of carbon dioxide ranging from \$0 per ton to the highest amount per ton foreseen by the commission.
- (d) Identify the expected economic costs and environmental impacts of each scenario using established methodologies that facilitate comparisons of the scenarios.
- (4) The commission shall appoint an advisory committee under section 15.04 (1) (c) of the statutes to assist in the investigation and report required under this section.
- (5) The Energy Institute of the University of Wisconsin–Madison shall assist the commission in conducting the investigation under this section.

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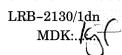
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(6) The commission shall prepare a report on the results of its investigation
under this section and shall submit the report to the legislature in the manner
provided under section 13.172 (3) of the statutes, no later than the first day of the
19th month beginning after the effective date of this subsection.

(END)

D-NAC

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU



Date

John Stolzenberg:

This version is identical to the previous version.

Mark D. Kunkel Senior Legislative Attorney Phone: (608) 266-0131

E-mail: mark.kunkel@legis.wisconsin.gov

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-2130/1dn MDK:kjf:pg

March 6, 2007

John Stolzenberg:

This version is identical to the previous version.

Mark D. Kunkel Senior Legislative Attorney Phone: (608) 266-0131

E-mail: mark.kunkel@legis.wisconsin.gov

Barman, Mike

From:

Kunkel, Mark

Sent:

Monday, May 14, 2007 10:01 AM

To:

Barman, Mike

Subject:

FW: Study committee bills

Regarding that last email I forwarded to you, please see below.

From:

Lovell, David

Sent:

Monday, May 14, 2007 9:46 AM Stolzenberg, John; Kunkel, Mark

To: Subject:

RE: Study committee bills

... in the Assembly.

David L. Lovell, Senior Analyst Wisconsin Legislative Council Staff 608/266-1537

From:

Stolzenberg, John

Sent:

Monday, May 14, 2007 9:41 AM

To: Cc: Kunkel, Mark Lovell, David

Subject:

Study committee bills

Mark,

Last week the Joint Legislative Council voted to introduce the 3 bills developed by the Special Committee on Nuclear Power, LRB-2129/1, LRB-2130/1 and LRB-2131/1.

We have no changes in these versions, so please have them jacketed for introduction.

Thanks.

John

John Stolzenberg Legislative Council 266-2988