

***Resolution Supporting Federal Legislation or Regulation to Enable Electric Utility Companies to Continue Contributions to Qualified Nuclear Decommissioning Funds***

**WHEREAS**, State regulatory commissioners recognize the importance of adequately providing for future decommissioning expenses of nuclear power plants; *and*

**WHEREAS**, State regulatory commissioners realize that the continued funding of qualified nuclear decommissioning funds, which serve to ensure payment of future expenses to decommission nuclear power plants, may be hampered because nuclear decommissioning costs included in rates charged to customers in a nontraditional structure may no longer be considered to meet the traditional definition of cost of service for ratemaking purposes as contemplated by the Internal Revenue Code; *and*

**WHEREAS**, State regulatory commissioners further realize that the inability to utilize qualified nuclear decommission funds increases overall decommissioning costs to consumers of electricity; *and*

**WHEREAS**, Federal legislation or regulation which permits continued contributions to qualified nuclear decommissioning funds will, all things being equal, assure that the overall cost for decommissioning nuclear power plants is not increased and will better ensure the availability of sufficient funds for decommissioning; *now, therefore, be it*

**RESOLVED**, That the Executive Committee of the National Association of Regulatory Utility Commissioners (NARUC), convened at its Summer Committee Meetings in San Francisco, California, endorses Federal legislation or regulation which benefits electric utility ratepayers by preserving the ability of electric utility companies to deduct for Federal income tax purposes contributions to qualified nuclear decommissioning trust fund for future expenses to decommission nuclear power plants.

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*Sponsored by the Committee on Electricity*  
*Adopted July 23, 1997*