

ASSEMBLY, No. 1917

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1996

By Assemblymen COHEN and WISNIEWSKI

1 AN ACT concerning electric public utility rates, and supplementing  
2 Title 48 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. The provisions of any other law, rule or regulation to the  
8 contrary notwithstanding, in determining just and reasonable rates for  
9 any electric public utility pursuant to R.S. 48:2-21, R.S. 48:2-21.1,  
10 section 31 of P.L. 1962, c. 198 (C. 48:2-21.2) or P.L. 1995, c. 180  
11 (C. 48:2-21.24 et seq.), the board shall not allow as an operating  
12 expense, or as part of an off-tariff rate agreement, or as a factor in the  
13 rate, or any other charge to the ratepayer, in a plan for alternative  
14 form of regulation, any costs of an outage related to the operations of  
15 a nuclear generating facility that resulted in fines or penalties imposed  
16 by the Nuclear Regulatory Commission.

17

18 2. The board shall promulgate, in accordance with the  
19 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
20 seq.), such rules and regulations as may be necessary to effectuate the  
21 purposes of this act.

22

23 3. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 This bill would provide that in determining just and reasonable  
29 rates for any electric public utility, the Board of Public Utilities shall  
30 not allow as an operating expense, or as part of an off-tariff rate  
31 agreement, or as a factor in the rate, or any other charge to the  
32 ratepayer, in a plan for alternative form of regulation, any costs of an  
33 outage related to the operations of a nuclear generating facility that  
34 resulted in fines or penalties imposed by the Nuclear Regulatory  
35 Commission.

1

2

3 Prohibits electric public utilities from including nuclear facility outage  
4 costs as part of operating expenses when outage leads to fines and  
5 penalties.