

1 A JOINT RESOLUTION directing the Public Service Commission to make all
2 staffing, organizational, and administrative preparations necessary to be ready to
3 discharge its regulatory duties relating to applications for the siting and construction of
4 nuclear energy facilities in the Commonwealth.

5 WHEREAS, with the passage of Senate Bill 11 in 2017, the General Assembly
6 lifted the moratorium on the construction of new nuclear power facilities that had been in
7 place for decades; and

8 WHEREAS, in 2023, the General Assembly passed Senate Joint Resolution 79 to
9 convene a working group of state officials and representatives of the utility and nuclear
10 industries to advise the General Assembly on the establishment of a permanent nuclear
11 energy commission in state government that could provide for the education,
12 coordination of resources, and professional expertise necessary to foster the development
13 of the nuclear industry in the Commonwealth; and

14 WHEREAS, pursuant to their responsibilities under 2023 Senate Joint Resolution
15 79, the Nuclear Energy Development Working Group met four times between May and
16 October of 2023, and thereafter submitted a report to the Legislative Research
17 Commission and the Governor detailing their recommendations for establishing the
18 Kentucky Nuclear Energy Development Authority to serve as the nonregulatory, trusted
19 state government agency on nuclear energy issues and to support and facilitate the
20 development of the nuclear energy ecosystem across the Commonwealth; and

21 WHEREAS, interest in developing the nuclear energy industry in Kentucky has
22 never been greater for many reasons, including but not limited to the momentum created
23 by the convening of the Nuclear Energy Development Working Group and the
24 recommendations it produced for the establishment of the Kentucky Nuclear Energy
25 Development Authority; the emergence of promising new nuclear technologies, including
26 small modular reactors, that may be useful in a range of applications in the
27 Commonwealth; and the need for new baseload energy generation to be sited in the

1 Commonwealth in order to maintain the resiliency and reliability of the electric grid; and

2 WHEREAS, as a result of this ever-growing interest in the development of the
3 nuclear industry in the Commonwealth, it is critical that the Public Service Commission
4 be prepared to discharge its regulatory responsibilities relating to applications for the
5 siting and construction of nuclear energy facilities within its jurisdiction;

6 NOW, THEREFORE,

7 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

8 ➔Section 1. The Public Service Commission is hereby directed to make all
9 staffing, organizational, and administrative preparations necessary to be ready to
10 discharge its regulatory duties relating to applications for the siting and construction of
11 nuclear energy facilities in the Commonwealth, including but not limited to:

12 (1) Conducting a survey of nuclear regulatory staff in other states to determine
13 their pay, experience, and qualifications so that the commission can make informed
14 decisions on the recruitment and hiring of its own nuclear regulatory staff;

15 (2) Contracting with personnel with expertise in nuclear regulatory matters to be
16 available immediately to assist with the administration of nuclear siting or construction
17 applications should they be filed with the commission;

18 (3) Providing for the training of existing commission staff on nuclear siting and
19 construction issues;

20 (4) Amending the administrative regulations promulgated by the commission
21 pursuant to KRS Chapter 13A to require that electric utilities consider the costs and
22 benefits of all generation resources, including but not limited to nuclear power generation
23 resources, when determining how to meet future demand as part of the triennial
24 integrated resource plans that they are required to file with the commission; and

25 (5) Reviewing, in consultation with experts in state nuclear regulatory matters,
26 and amending, if necessary, all other administrative regulations promulgated by the
27 commission pursuant to KRS Chapter 13A to ensure that they do not contain any

- 1 provisions that would impede the commission from effectively regulating nuclear
- 2 facilities or obstruct the development of the nuclear ecosystem in the Commonwealth.