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Nuclear Energy: National Association of Regulatory Utility Commissioners Testimony Before the U. S. House of Representatives Energy and Commerce Committee

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The United States House of Representatives Committee on Energy and Commerce/Subcommittee on Environment and the Economy ("Subcommittee") held a hearing on December 3rd titled *The Nuclear Waste Fund: Budgetary, Funding, and Scoring Issues* ("Hearing").

Travis Kavulla, Montana Public Service Commissioner, who serves as President of the National Association of Regulatory Utility Commissioners ("NARUC") testified on behalf of the organization.

NARUC is a non-profit organization whose members include public utility Commissioners in the various states and United States territories.

Mr. Kavulla opened the substantive portion of his testimony by stating:

NARUC and its State Commission members were at the table when the Nuclear Waste Policy Act of 1982 (NWPA) was developed and passed. At that time, and today, State regulators agree that users of electricity from nuclear power plants should pay for the federal nuclear waste management disposal program. And the consumers have paid generously into the fund. Since 1982, more than \$40 billion in direct payments and interest have been paid into the U.S. Nuclear Waste Fund (NWF). Yet for those billions, so far, ratepayers – and the country – have nothing to show for it. The federal government missed its statutorily mandated deadline to start accepting nuclear waste in 1998. In the 1990s and early 2000s, at least, the program had shown progress, notwithstanding the missed deadline. However, since that time, efforts to block funding for the geologic disposal of nuclear waste at Yucca Mountain, as well as the U.S. Department of Energy's unlawful refusal to consider the project's licensing application, has kept the country in the exact same situation we occupied 28 years ago when Congress decided that Yucca Mountain should be the first site considered for the United States permit repository.

The testimony also notes that the current Administration has declared the Yucca Mountain repository site "unworkable" withdrawing its licensing application.

Mr. Kavulla emphasized three points in his testimony:

- America needs, and consumers have paid for, a permanent solution to nuclear waste disposal. It is time for Congress to reaffirm this core principle.

- The Nuclear Waste Fund is a self-funded, special – purpose program – and it should be treated as such within the parameters of the federal budgeting and appropriations process.
- Congress should establish an independent body that has the single-minded mission of nuclear waste disposal, and this body should have access, subject to Congressional oversight, to the billions ratepayers have contributed to this purpose.

[Click here to download a copy of the testimony.](#)