

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 835, Page 1, Section A, Line 2, by
2 inserting after all of said section and line the following:

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4 "386.895. 1. As used in this section the following terms shall mean:

5 (1) "Biogas", a mixture of carbon dioxide and hydrocarbons, primarily methane gas,
6 released from the biological decomposition of organic materials;

7 (2) "Biomass", has the meaning given the term "qualified biomass" in section 142.028;

8 (3) "Gas corporation", the same as defined in section 386.020;

9 (4) "Qualified investment", any capital investment in renewable natural gas infrastructure
10 incurred by a gas corporation for the purpose of providing natural gas service under a renewable
11 natural gas program;

12 (5) "Renewable energy sources", hydroelectric, geothermal, solar photovoltaic, wind, tidal,
13 wave, biomass, or biogas energy sources;

14 (6) "Renewable natural gas", any of the following products processed to meet pipeline
15 quality standards or transportation fuel grade requirements:

16 (a) Biogas that is upgraded to meet natural gas pipeline quality standards such that it may
17 blend with, or substitute for, geologic natural gas;

18 (b) Hydrogen gas; or

19 (c) Methane gas derived from any combination of:

20 a. Biogas;

21 b. Hydrogen gas or carbon oxides derived from
22 renewable energy sources; or

23 c. Waste carbon dioxide;

24 (7) "Renewable natural gas infrastructure", all equipment and facilities for the production,
25 processing, pipeline interconnection, and distribution of renewable natural gas to be furnished to
26 Missouri customers.

27 2. The commission shall adopt by rule a renewable natural gas program for gas
28 corporations. Rules adopted by the commission under this section shall include:

29 (1) Rules for reporting requirements; and

30 (2) Rules for establishing a process for gas corporations to fully recover incurred costs that
31 are prudent, just, and reasonable associated with a renewable natural gas program. Such recovery
32 shall not be permitted until the project is operational.

33 3. A filing by a gas corporation pursuant to the renewable natural gas program created in
34 subsection 2 of this section shall include, but is not limited to:

35 (1) A proposal to procure a total volume of renewable natural gas over a specific period; and

36 (2) Identification of the qualified investments that the gas corporation may make in

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1 renewable natural gas infrastructure.

2 4. A gas corporation may from time to time revise the filing submitted to the commission
3 under this section.

4 5. Any costs incurred by a gas corporation for qualified investment that are prudent, just and
5 reasonable may be recovered by means of an automatic rate adjustment clause.

6 6. When a gas corporation makes a qualified investment in the production of renewable
7 natural gas, the costs associated with such qualified investment shall include the cost of capital
8 established by the commission in the gas corporation's most recent general rate case.

9 7. Rules adopted by the commission under this section shall not prohibit an affiliate of a gas
10 corporation from making a capital investment in a biogas production project if the affiliate is not a
11 public utility as defined in section 386.020.

12 8. The public service commission may promulgate rules to implement the provisions of this
13 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
14 under the authority delegated in this section shall become effective only if it complies with and is
15 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
16 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
17 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
18 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
19 August 28, 2021, shall be invalid and void."; and

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21 Further amend said bill, Page 2, Section 393.106, Line 53, by inserting after all of said section and
22 line the following:
23

24 "393.135. Except as provided in section 393.1250, any charge made or demanded by an
25 electrical corporation for service, or in connection therewith, which is based on the costs of
26 construction work in progress, as that term is defined in section 393.1250, upon any existing or new
27 [facility of the] electrical corporation facility, or any other cost associated with owning, operating,
28 maintaining, or financing any such property before it is fully operational and used for service[, is
29 unjust and unreasonable, and] is prohibited.

30 393.1250. 1. This section shall be known and may be cited as the "Missouri Nuclear Clean
31 Power Act", the purpose of which is to enable the construction of clean baseload electric generating
32 plants or facilities that utilize renewable sources to produce energy. This section shall not apply to
33 clean baseload electric generating plants or renewable source generating facilities that are in
34 commercial operation before August 28, 2021.

35 2. As used in this section, the following terms mean:

36 (1) "Clean baseload generating plant", a new nuclear-fueled electric generating facility
37 located in this state that is designed to be operated at a capacity factor exceeding seventy percent
38 annually and is intended in whole or in part to serve retail customers of an electrical corporation in
39 Missouri;

40 (2) "Construction work in progress", the electrical corporation's share of all capital costs
41 associated with a clean baseload generating plant or renewable source generating facility, which
42 have been incurred but have not been included in the electrical corporation's plant in service, and are
43 recorded in the Federal Energy Regulatory Commission's Uniform System of Accounts Prescribed
44 for Public Utilities and Licensees Subject to the Provisions of the Federal Power Act, Balance Sheet
45 Chart Accounts, as construction work in progress for electric plants in 18 CFR Part 101, or any
46 other account established in the Uniform System of Accounts for the recording of construction work
47 in progress;

48 (3) "Renewable source generating facility", any electric generating facility powered by
49 wind, hydropower, solar power, landfill methane, biomass, or any other renewable source of power

1 that does not produce significant carbon emissions.

2 3. The provisions of section 393.135 shall not apply to a clean baseload generating plant or
3 a renewable source generating facility if the plant or facility is rated at two hundred megawatts or
4 more. Costs recovered by an electrical corporation under the provisions of this section are subject to
5 inclusion or exclusion from rates in a ratemaking proceeding pursuant to the commission's authority
6 to determine just and reasonable rates. In addition, the commission may authorize an electrical
7 corporation to make or demand charges for service based in whole or in part on additional
8 amortizations to maintain the electrical corporation's financial ratios that will, in the commission's
9 judgment, better enable the electrical corporation to cost-effectively construct a clean baseload
10 generating plant or a renewable source generating facility.

11 4. The commission may promulgate rules to assist in the implementation of this section.
12 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
13 authority delegated in this section shall become effective only if it complies with and is subject to all
14 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
15 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536
16 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
17 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
18 August 28, 2021, shall be invalid and void."; and

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20 Further amend said bill by amending the title, enacting clause, and intersectional references
21 accordingly.