

HB 710-FN - AS INTRODUCED

2025 SESSION

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06/08

HOUSE BILL

710-FN

AN ACT enabling electric utilities to own, operate, and offer advanced nuclear resources.

SPONSORS: Rep. Vose, Rock. 5; Rep. Ammon, Hills. 42; Rep. Berezhny, Graf. 11; Rep. Bernardy, Rock. 36; Rep. McFarlane, Graf. 18; Rep. Notter, Hills. 12; Sen. Lang, Dist 2; Sen. Watters, Dist 4; Sen. Pearl, Dist 17

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill defines "advanced nuclear resource" (ANR) and includes ANR options alongside renewable energy sources for utility services, sets limitations and guidelines for investments in distributed electric generation, and clarifies the coordinator's duties in nuclear development and regulatory activities.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~in brackets and struckthrough~~.
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT enabling electric utilities to own, operate, and offer advanced nuclear resources.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Electric Utility Restructuring; Definitions. Amend RSA 374-F:2 by inserting
2 after paragraph II the following new paragraph:

3 II-a. "Advanced nuclear resource" (ANR) means any micro, mini, or small nuclear reactor
4 having a generating capacity between 1 and 90 megawatts.

5 2 Restructuring Policy Principles. Amend RSA 374-F:3, V(f) to read as follows:

6 (f)(1) For purposes of subparagraph (f), "renewable energy source" (RES) means a source
7 of electricity, as defined in RSA 362-F:2, XV, that would qualify to receive renewable energy
8 certificates under RSA 362-F, whether or not it has been designated as eligible under RSA 362-F:6,
9 III. ***"Advanced nuclear resource" or "ANR" shall have the same meaning as RSA 374-F:2, II-***
10 ***a.***

11 (2) A utility shall provide to its customers one or more RES ***or ANR*** options, as
12 approved by the commission, which may include RES ***or ANR*** default service provided by the utility
13 or the provision of retail access to competitive sellers of RES ***or ANR*** attributes. Costs associated
14 with selecting an RES ***or ANR*** option should be paid for by those customers choosing to take such
15 option. A utility may recover all prudently incurred administrative costs of RES ***or ANR*** options
16 from all customers, as approved by the commission.

17 (3) RES ***or ANR*** default service should have either all or a portion of its service
18 attributable to a renewable energy source ***or advanced nuclear resource*** component procured by
19 the utility, with any remainder filled by standard default service. The price of any RES ***or ANR***
20 default service shall be approved by the commission.

21 (4) Under any option offered, the customer shall be purchasing electricity generated
22 by renewable energy sources or ***advanced nuclear resources, or*** the attributes of such generation,
23 either in connection with or separately from the electricity produced. The regional generation
24 information system of energy certificates administered by the ISO-New England and the New
25 England Power Pool (NEPOOL) should be considered at least one form of certification that is
26 acceptable under this program.

27 (5) A utility that is required by statute to provide default service from its generation
28 assets should use any of its owned generation assets that are powered by renewable energy ***or***
29 ***advanced nuclear resources*** for the provision of standard default service, rather than for the
30 provision of a renewable energy source ***or advanced nuclear resource*** component.

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(6) Utilities should include educational materials in their normal communications to their customers that explain the RES **or ANR** options being offered and the health and environmental benefits associated with them. Such educational materials should be compatible with any environmental disclosure requirements established by the department.

(7) For purposes of consumer protection and the maintenance of program integrity, reasonable efforts should be made to assure that the renewable energy source **or advanced nuclear resource** component of an RES **or ANR** option is not separately advertised, claimed, or sold as part of any other electricity service or transaction, including compliance with the renewable portfolio standards under RSA 362-F.

(8) If RES **or ANR** default service is not available for purchase at a reasonable cost on behalf of consumers choosing an RES **or ANR** default service option, a utility may, as approved by the commission, make payments to the renewable energy fund created pursuant to RSA 362-F:10 on behalf of customers to comply with subparagraph (f).

(9) The commission shall implement subparagraph (f) through utility-specific filings. Approved RES **or ANR** options shall be included in individual tariff filings by utilities.

(10) A utility, with commission approval, may require that a minimum number of customers, or a minimum amount of load, choose to participate in the program in order to offer an RES **or ANR** option.

3 Investments in Distributed Energy Resources. Amend RSA 374-G:4, II to read as follows:

II. Distributed electric generation owned by or receiving investments from an electric utility under this section shall be limited to a cumulative maximum in megawatts of 6 percent of the utility's total distribution peak load in megawatts **or 15 percent for advanced nuclear resources as defined in RSA 374-F:2, II-a**. This limitation shall not apply to front-of-meter energy storage, the energy storage pilot approved by commission order number 26,209, or demand response.

III. In addition, once the cumulative generation authorized under this chapter for a given public utility reaches 3 percent **or 8 percent for advanced nuclear resources as defined in RSA 374-F:2, II-a**, of the utility's total distribution peak load in megawatts, then that utility shall not be allowed to add any additional non-renewable generation under this chapter, until the cumulative renewable generation installed pursuant to this chapter, as a percentage of total generation installed pursuant to this chapter, shall equal or exceed twice the sum of the then-applicable percentage requirements for class I and class II under RSA 362-F:3.

4 Coordination of Studies and Development Activities; Position Established. Amend RSA 162-B:4, III to read as follows:

III. The coordinator of nuclear development and regulatory activities shall have the duty to coordinate and produce the reports required by RSA 162-B:3, as well as coordinate the studies conducted, and the recommendations and proposals made, in this state with like activities in New England and other states and with the policies and regulations of the United States Nuclear

1 Regulatory Commission. *These activities may include the management of funding and*
2 *oversight of nuclear incentive programs, such as those described by RSA 374-G:4, as well as*
3 *outreach programs to inform and educate the public, particularly regarding safety.*

4 5 Effective Date. This act shall take effect 60 days after its passage.

**HB 710-FN- FISCAL NOTE
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AN ACT enabling electric utilities to own, operate, and offer advanced nuclear resources.

FISCAL IMPACT:

The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

Department of Energy