

# SENATE BILL NO. 757

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR O'LAUGHLIN.

3980S.03I

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 393, RSMo, by adding thereto one new section relating to the closure of electric power plants, with an emergency clause.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 393, RSMo, is amended by adding thereto  
2 one new section, to be known as section 393.401, to read as  
3 follows:

**393.401. 1. For purposes of this section, the  
2 following terms shall mean:**

3 (1) "Existing electric generating power plant", a  
4 thermal power plant of over one hundred megawatts in  
5 nameplate capacity;

6 (2) "Name plate capacity", the amount of electricity  
7 in kilowatts at which an electric generating power plant was  
8 constructed and commissioned to operate;

9 (3) "Replacement reliable electric generation", an  
10 equal or greater amount than name plate capacity of  
11 accredited power resources as established by the public  
12 service commission.

13 2. Prior to the closure of an existing electric  
14 generating power plant in Missouri, an electric utility  
15 company, as defined in section 393.550, registered and doing  
16 business in this state, shall first certify that such  
17 utility company has secured and placed on the state's  
18 electric grid an equal or greater than name plate capacity

19 amount of replacement reliable electric generation.  
20 Adequate transmission infrastructure necessary to  
21 interconnect the new reliable electric generation to the  
22 state's electric grid and to transmit electricity shall be  
23 fully operational prior to the closure of the existing  
24 electric generating power plant.

25 3. The new replacement reliable electric generation  
26 shall be equal to or greater than the full nameplate  
27 capacity of any existing electric generating power plant and  
28 shall be certified as an equal or greater amount of reliable  
29 electric generation by the Missouri public service  
30 commission and the regional reliability organization in  
31 which the electric utility company operates.

32 4. Such replacement reliable electric generation may  
33 be constructed outside the state if it is connected to the  
34 regional electric grid. The electric utility company may  
35 use purchase power agreements to meet all or part of its  
36 replacement reliable electric generation requirement. Such  
37 purchase power agreements shall be for firm delivery of the  
38 replacement reliable electric generation.

39 5. On or before the official date of the existing  
40 electric generating power plant closure, the electric  
41 utility company shall provide certification to the public  
42 service commission, the general assembly, and the governor  
43 that it has met the requirements of this section.

Section B. Because of the need to prevent closure of  
2 electric power plants without providing adequate electric  
3 service to customers, section A of this act is deemed  
4 necessary for the immediate preservation of the public  
5 health, welfare, peace, and safety, and is hereby declared  
6 to be an emergency act within the meaning of the

7 constitution, and section A of this act shall be in full  
8 force and effect upon its passage and approval.

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