

1 S.310

2 Introduced by Senator Hartwell

3 Referred to Committee on

4 Date:

5 Subject: Energy; public service; nuclear; clean energy development fund

6 Statement of purpose of bill as introduced: This bill proposes to direct that

7 50 percent of any funds released from escrow by the owners of Vermont

8 Yankee be allocated to economic development authorities in the surrounding

9 area to provide economic development assistance.

10 An act relating to allocating clean energy development fund proceeds

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. ALLOCATION OF MONIES RELEASED FROM ESCROW TO

13 THE CLEAN ENERGY DEVELOPMENT FUND

14 (a)(1) Since the expiration of its certificate of public good for operation of

15 the Vermont Yankee nuclear plant on March 21, 2012, Entergy Nuclear

16 Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (together

17 “Entergy VY”) have made quarterly payments of \$625,000.00 into an escrow

18 account pursuant to an Escrow Agreement filed in Docket No. 7862 before the

19 Vermont Public Service Board.

1 (2) Entergy VY and the Department of Public Service dispute whether
2 Entergy VY is obligated to transfer these funds deposited in escrow, totaling
3 approximately \$5,000,000.00, to the Vermont Clean Energy Development
4 Fund. However, Entergy VY has committed to continue making quarterly
5 payments under the Escrow Agreement until such time as the current
6 certificate of public good process for relicensing of the plant, including
7 appeals, is complete or one of the other conditions in paragraph 1 of the
8 Escrow Agreement occurs.

9 (3) On August 27, 2013, Entergy VY announced officially that it would
10 close the Vermont Yankee nuclear plant in the fourth quarter of 2014.

11 (4) The State of Vermont has already begun preparing for the shutdown,
12 which will result in the immediate loss of approximately 400 jobs at the plant
13 and will have substantial adverse economic impacts to the people living in the
14 Town of Vernon and much of Windham County.

15 (5) In adopting this act, it is the intent of the General Assembly to
16 encourage the Department of Public Service, Entergy VY, and other interested
17 partners to work together to resolve the dispute surrounding the \$5,000,000.00
18 in escrow funds and to provide a source of financial support for economic
19 assistance efforts in the areas surrounding the Vermont Yankee nuclear plant.

20 (b) On execution of a Memorandum of Understanding or similar binding
21 agreement between or among Entergy VY, the Department of Public Service,

1 and any other signatories governing the transfer of the escrow funds to the
2 Clean Energy Development Fund, notwithstanding any provision of law to the
3 contrary, the State shall allocate 50 percent of the transferred funds to local or
4 regional economic development authorities, or both, to provide economic
5 development assistance to the people and towns adversely affected by the
6 closure of the Vermont Yankee nuclear plant.

7 Sec. 2. EFFECTIVE DATE

8 This act shall take effect on passage.