LOUISIANA PUBLIC SERVICE COMMISSION
DOCKET NO. R-37871
LOUISIANA PUBLIC SERVICE COMMISSION, EX PARTE.

In re: Louisiana Advanced Nuclear Exploration Program.

NOTICE OF FINAL PROPOSED RULE

I. BACKGROUND

This docket was initiated by a *Notice of Proceeding* ("Notice") filed on March 10, 2026, pursuant to Chairman Skrmetta's directive at the February 26, 2026 Business and Executive Session ("B&E") of the Louisiana Public Service Commission ("LPSC" or "Commission"), wherein Staff was directed to:

> "…review the Louisiana Advanced Nuclear Competitive Edge ("LANCE") Strategic Framework report filed in Docket No. X-36987 and develop the next steps in the process to be known as the Louisiana Advance Nuclear Exploration ("LANE") Program, which would establish a mechanism for investor-owned utilities and interested rural electric cooperatives to engage with qualified advanced nuclear technology vendors for potential integration of small modular reactors, microreactors, and other advanced nuclear technologies into the state's electric generation fleet and with such plan to be returned to the Commission as soon as practicable; there is no anticipated need for any outside contract work on this issue."
>
> There was no opposition.

The Notice was published in the Commission's Official Bulletin #1371 dated March 13, 2026 for a 25-day intervention period. Interventions were filed by Cleco Power LLC ("Cleco Power"), Louisiana Energy Users Group ("LEUG"), 1803 Electric Cooperative, Inc. ("1803"), the Association of Louisiana Electric Cooperatives, Inc. ("ALEC"), Entergy Louisiana, LLC ("ELL"), Southern Renewable Energy Association ("SREA"), and Southwestern Electric Power Company ("SWEPCO").

Attached to the Notice, Staff provided the proposed LANE program (the "Program"), and sought stakeholder comments ("first round of comments") on the Program by April 10, 2026. Feedback was provided in the first round of comments by Cleco Power, ELL, SWEPCO, ALEC, 1803, and LEUG. Staff reviewed all feedback from the first round of comments and on July 21, 2026, Staff filed its *Recommendation of Proposed Rule and Request for Comments* ("Initial Recommendation"). In the Initial Recommendation, Staff noted that the intent of the directive was clear, as it specifically limited this rulemaking to establish a mechanism for investor-owned utilities and interested rural electric cooperatives to engage with specific nuclear vendors on potential technology. Staff incorporated suggestions provided by stakeholders, including inserting a mechanism for electric cooperatives to opt-in to the Program and adding a clause regarding the potential for refunds should the Program be terminated. Staff also provided redlines of other changes to its Initial Recommendation for additional comments ("second round of comments") with a deadline of August 4, 2026. Feedback was provided in the second round of comments by Cleco Power, ELL, ALEC, 1803, and LEUG. Most feedback was in support of Staff's Initial Recommendation, with only one minor clarification suggested by 1803. Staff additionally made a few internal modifications, which is reflected in Attachment A, the Final Rule in tracked changes from Staff's Initial Recommendation. After consideration of all parties' comments in both the first round of comments and the second round of comments, Staff proposes the Final Rule (attached as Attachment B) for Commission consideration.

II. JURISDICTION AND APPLICABLE LAW

The Commission has been vested with the authority to regulate public utilities and common carriers and exercises jurisdiction in this proceeding pursuant to Article IV, Section 21(b) of the Louisiana Constitution of 1974, which provides in pertinent part:

> The commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.

Further, on September 27, 2023, Docket No. X-36987[1] was opened per directive at the Commission's August 16, 2023 B&E, to assess the development of advanced nuclear power technology. After a technical conference, where presentations were made by the Nuclear Energy Institute, the Idaho National Laboratory, BWX Technologies, Inc., and Evercore Energy, Staff issued its LANCE Framework on October 18, 2024, which served as a resource guide for stakeholders, vendors, and other parties interested in the development and deployment of advanced nuclear energy in Louisiana. The LANCE framework was acknowledged by the Commission at its January 15, 2025 B&E. This Program builds upon the LANCE framework in establishing a mechanism for jurisdictional electric utilities to work with nuclear vendors in progressing advanced nuclear energy within Louisiana.

III. COMMENTS FROM PARTIES AND STAFF'S ANALYSIS

A. Cleco Power

In the first round of comments, Cleco Power noted that it has no current plans to initiate the process for siting, constructing, or deploying nuclear generation, as described in its integrated resource plan, but that it generally supported the goals and purpose of the Program. Cleco Power supported adoption of the Program with the understanding that participation in the Program by investor-owned utilities would be voluntary. Cleco Power's comments assumed that the Program would be voluntary for all participants; however, the actual intent of this rule is for IOUs to be required to participate, and that rural electric cooperatives may opt-in.

[1] In re: Assessment of the development of advanced nuclear power technology.

In the second round of comments, Cleco Power acknowledged that IOUs would be required to participate in the Program and stated that it supports adoption of the Program, including the provision requiring IOU participation. Cleco Power noted that it does not oppose the other clarifications and additions reflected in Staff's redlined rule, including the expanded definition of qualified vendors and designers, the inclusion of large light water reactors and Generation III+ technologies within the scope of the Program, and the administrative cost cap. Cleco Power reiterated its support of the adoption of the Program, as set forth in Staff's Initial Recommendation.

B. ELL

In the first round of comments, ELL stated its full support for the Commission's initiative and stated that it shares the Commission's interest in advancing the deployment of new nuclear power generation resources in order to provide Louisiana with more sources of emission-free generation. ELL sought clarification on "nuclear technology" and suggested the inclusion of nuclear reactor designs that offer technological improvements over Generation II nuclear reactors that currently compose the U.S. nuclear fleet (Generation III or newer). ELL made the following suggestions to the Program: (1) an explanation of how vendors and designers would qualify for participation; (2) an expansion of the definition of "advanced nuclear technologies;" (3) examples of preliminary activities that are necessary for meaningful nuclear exploration; and (4) additional guidance on funding mechanisms, program activities, and allowable uses of funds. Staff reviewed the proposed clarifications, and included these additions in the redlined version of Staff's Initial Recommendation.

In the second round of comments, ELL stated its support of the proposed rule and Program as presented in Staff's Initial Recommendation. ELL reiterated its full support for the

Commission's initiative to develop the next steps in the process of the Program. ELL also stated that advancing the deployment of new nuclear power generation resources, including nuclear battery, micro nuclear reactor, and small modular reactor technology will provide Louisiana with more sources of emission-free generation.

C. SWEPCO

In the first round of comments, SWEPCO provided general comments in support of the Program and expressed no immediate concern with the proposed framework. However, SWEPCO did request further clarification on early-stage activities and technologies included for evaluation. Like ELL, SWEPCO proposed the addition of Generation III+ technologies for inclusion in the scope of the program, which was included in Staff's Initial Recommendation.

SWEPCO did not file additional feedback in the second round of comments.

D. ALEC

In the first round of comments, ALEC's comments reflected support of voluntary participation for cooperatives, as participation should be at the discretion of the individual cooperative and consistent with its planning processes. ALEC also noted that nothing in the Program should be interpreted to alter or conflict with existing wholesale power supply obligations. Staff noted that the intent of the Rule is not to affect any utility's existing wholesale power supply obligations, and if at any point a Cooperative opts into the Program and indicates concerns associated with its respective power supply obligations, that issue can be presented to Staff at that time. ALEC also stated that any cost recovery associated with the program should remain reasonable, clearly defined, and limited to activities that provide demonstrable value to ratepayers, which Staff believed to be already captured in the intent of the Program. ALEC stated that the Program is appropriately limited to early-stage exploration and evaluation activities.

In the second round of comments, ALEC provided feedback stating that it proposes no additional changes to Staff's Initial Recommendation. ALEC specifically restated and emphasized its support for the Program's voluntary participation rule for electric cooperatives and Staff's acknowledgement that the intent of the Rule is not intended to affect existing power supply obligations.

E. 1803

In the first round of comments, 1803's comments expressed general support of the Program and that having a specific funding mechanism is helpful to enable the initial work in identifying designers and vendors, conduct necessary investigation, evaluation, studies, modeling, and other early-stage activities, as well as collaboration among utilities.

In the second round of comments, 1803 stated its support of the opt-in mechanism for rural electric cooperatives, but requested that the parenthetical in Section 101(A) be revised from "(via voluntary opt-in and LPSC approval)" to "(via voluntary opt-in)" so that the correspondence to the Executive Secretary described in Section 101(A)(1) alone is sufficient to elect participation. 1803 stated that as drafted in Staff's Initial Recommendation, the two provisions could be read to require separate Commission approval, which could add cost and delay to a voluntary program and discourage the cooperative participation Staff intended. 1803 stated it had no other comments on the revisions. Staff reviewed this portion of the rule and agrees that the intent is not to stifle voluntary participation. As such, Staff has removed the "and LPSC approval" from Section 101(A). However, this edit prompted Staff to consider highlighting compliance with General Order dated July 1, 2019 (Docket No. R-34738) (the Commission's "Tariff Rules"),[2] specifically

[2] In re: Proceeding to establish rules regarding electric utility tariff filings and related review, including site specific rate filings.

Section 501(C). While Staff believes compliance with this order was implicit, as the Program would require modifications or revisions to each participating utility's tariffs, Staff clarified that participation (whether mandatory or voluntary) requires compliance with Section 501(C) of the Tariff Rules. With that addition, Staff then deleted the provision regarding letters to the Executive Secretary.

F. LEUG

In the first round of comments, LEUG's primary comment was a request that the LPSC expand this rulemaking to consider modernization of power supply rules in Louisiana to seize the opportunity to encourage private investment in nuclear facilities rather than solely looking to utilities using ratepayer funding and financial support for the development of new nuclear technology in Louisiana. LEUG also included comments on recent information filed by ELL both in its integrated resource plan, as well as in its annual filing pursuant to General Order dated August 1, 2024 (Docket No. R-35462).[3] LEUG also shared its support of modernized policies that will allow Louisiana industrial companies the opportunity to effectively participate in the development and construction of new nuclear generation resources to meet their needs, including having the option to share such nuclear power, including costs and risks, among other industrials by use of purchase power or other bilateral agreements. In LEUG's comments on modernization of Commission rules for private generation investment, LEUG also made clear it was not suggesting deregulation or creation of new electric markets in Louisiana. LEUG also expressed it was pleased to see the Whole-of-Louisiana Energy Strategy[4] recently issued by the Governor's office, Louisiana Economic Development, and Louisiana Conservation and Energy, and with

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[3] In re: Rulemaking to Research and Evaluate Customer-Centered Options for all Electric Customer Classes as well as Other Regulatory Environments; Attachment 1 (Annual Reporting Obligations for Electric Utilities).
[4] https://www.dce.louisiana.gov/assets/other/Energy-Strategy/LED-State-Energy-Strategy-2026.pdf

President Trump's Bring Your Own Power approach and ratepayer protection pledge. LEUG stated that it considers its views and recommendations for modernization of power supply rules in Louisiana to be consistent with the LANCE Framework. LEUG also expressed its support of the Commission's Integrated Resource Plan process[5] and Incentive Cost Recovery Rule for Nuclear Power Generation.[6]

After a review of LEUG's comments, Staff determined the majority of the comments seek to expand the scope of the current rulemaking by seeking to consider a revamp of the Commission's rules regarding power supply. It is Staff's opinion that the intent and purpose of the instant rulemaking is clear – to develop next steps in advancing nuclear technology into this state's electric generation fleet – not to overhaul the entire power supply structure. Therefore, Staff has determined that this rulemaking is not the correct docket for the Commission to consider the modernization of power supply rules in Louisiana.

In the second round of comments, LEUG recommended that the Commission consider modernization of power supply rules in Louisiana, in addition to the Program, to encourage private investment in nuclear facilities rather than solely looking to the utilities using ratepayer funding and financial support for development of new nuclear technology. Whether the Commission should consider modernization of power supply rules in Louisiana is outside the scope of this docket. LEUG also mentioned Docket No. R-37905,[7] and urged the LPSC to address and provide for such optionality before utilities reach a stage of seeking to impose the costs of actual new nuclear development projects across all ratepayers. Because that is an ongoing

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[5] General Order dated August 25, 2011 (Docket No. R-30021), In re: Development and Implementation of Rules for Integrated Resource Planning for Electric Utilities.

[6] General Order dated May 18, 2007 (Docket No. R-29712), In re: Investigation into the ratemaking and generation planning implications of nuclear construction in Louisiana.

[7] In re: Notice of proceeding regarding determination and evaluation of private use electrical networks in order to enable generation to serve new large loads looking to locate in Louisiana.

rulemaking, any feedback LEUG has regarding that docket can be presented therein.

IV. STAFF MODIFICATIONS AND RECOMMENDATION

As discussed above, Staff made certain changes and additions to Section 101 in response to comments filed by 1803 in the second round of comments. Additionally, Staff revised the Final Rule's section numbers, as Staff had inadvertently left off Section 201. Finally, an additional modification was made to Section 301 (formerly Section 401) from "may be used exclusively" to "shall be used" which does not change the intent of the provision.

Based on the foregoing analysis and the analysis included in its *Recommendation of Proposed Rule and Request for Comments*, Staff proposes the Final Rule attached as Attachment B for Commission consideration and adoption. The redlined version is attached as Attachment A, which includes the above-mentioned modifications. **The attached Final Rule is anticipated to be considered at the Commission's August 12, 2026 Business and Executive Session.**

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon all parties of record by email properly addressed on this 6th day of August, 2026.

Lauren T. Evans

LAUREN TEMENTO EVANS

ATTACHMENT A
(Redline Version)

LOUISIANA ADVANCED NUCLEAR EXPLORATION PROGRAM

LOUISIANA PUBLIC SERVICE COMMISSION

LOUISIANA ADVANCED NUCLEAR EXPLORATION PROGRAM

PURPOSE

The Louisiana Advanced Nuclear Exploration ("LANE") Program (the "Program") is an initiative by the Louisiana Public Service Commission ("Commission" or "LPSC") to proactively support the early-stage evaluation and potential integration of new nuclear generation technologies into the state's regulated electric generation fleet. This Program seeks to support the evaluation and potential deployment of nuclear generation technologies, including large light water reactors, small modular reactors ("SMRs"), microreactors, Generation III+ technologies, and next-generation high-temperature reactors suitable for industrial applications and baseload power, promoting long-term grid reliability, resilience, economic benefits to consumers, and decarbonization goals. The LANE Program supports implementation of recommendations from the Louisiana Advanced Nuclear Competitive Edge ("LANCE") Strategic Framework.

AUTHORITY

Article IV, Section 21 of the Louisiana Constitution of 1974 provides the Commission with the following authority:

> **Powers and Duties.** The Commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by Law. It shall adopt and enforce reasonable rules, regulations and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by Law.

Consistent with the above authority, the Commission has adopted rules and regulations through Commission Orders that apply to utilities in general, and in some instances, electric utilities specifically. The blanket authority to regulate public utilities granted above; however, is not absolute, as it is subject to the following limitations regarding utilities owned, operated, or regulated by a political subdivision:

> **Limitation.** The Commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by the approval of a majority of the electors voting in an election held for that purpose; however, a political subdivision may reinvest itself with such regulatory power in the manner in which it was surrendered. This paragraph shall not apply to safety regulations pertaining to the operation of such utilities.

SECTION 101. PROGRAM PURPOSE

The LANE Program aims to:

A. Enable investor-owned utilities ("IOUs")- specifically AEP Southwestern Electric Power Company ("SWEPCO"), Cleco Power LLC ("Cleco Power"), and Entergy Louisiana ("ELL") - and any interested rural electric cooperatives who elect to participate (via voluntary opt-in~~ and LPSC approval~~) (hereinafter "Utilities") - to partner with qualified[8] nuclear technology vendors and designers. Utilities remain 100% responsible for program execution, fund utilization, and outcomes, subject to ongoing LPSC plenary authority, oversight, audits, and potential adjustments or termination.
   1. As the Program requires a change to each utility's tariff, participating utilities are required to comply with Section 501(C) of General Order dated July 1, 2019 (Docket No. R-34738) (the Commission's rules regarding Electric Utility Tariff Filings).[9] ~~An interested rural electric cooperative may elect to participate by submitting correspondence to the Executive Secretary stating such intent.~~

B. Fund feasibility studies, site assessments (including environmental, geological, and infrastructure evaluations), economic analyses (including levelized cost of energy, fuel cycle considerations, and ratepayer impact modeling), and preliminary licensing/permitting preparations.

C. Reduce early-stage financial risks and barriers that currently deter exploration of advanced nuclear options.

D. Foster collaboration among utilities for economies of scale (e.g., joint studies or shared vendor engagements) while allowing independent pursuits where appropriate.

E. Position Louisiana as a leader in advanced nuclear deployment, aligning with state interests in energy abundance, industrial growth, and federal incentives.

SECTION 201~~301~~. FUNDING MECHANISM

A. Customer Surcharge/Rider: Each participating utility may implement a uniform monthly surcharge/rider of $0.20 per electric meter applied to all metered customers (residential, commercial, industrial, and other classes) in their Louisiana service territory.

B. Duration: Initial authorization for a five-year period (e.g., commencing upon LPSC approval and first collection, targeted for Fall of 2026-2030).

C. Collection and Accounting: Funds collected via the surcharge/rider will be placed in a separate, interest-bearing account dedicated solely to approved program activities as described in Section 401. Utilities will track and report expenditures transparently; unspent funds carry over year-to-year, but remain restricted to program purposes.

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[8] "Qualified" refers to a vendor and/or designer's ability to satisfy one or more of the following criteria:

- holder of an NRC design certification, license, or has submitted a part 50 or part 52 license application with the NRC;
- active pre-application or licensing engagement with the NRC;
- demonstrated nuclear project development, engineering, licensing, or EPC experience; and/or
- specialized capability in nuclear siting, environmental, Geotech, transmission, permitting, financing, supply chain, or owner's engineer.

[9] In re: Proceeding to establish rules regarding electric utility tariff filings and related review, including site specific rate filings.

SECTION 301~~401~~. APPROVED PROGRAM ACTIVITIES

A. Funds shall be used~~may be used exclusively~~ for early-stage evaluation activities, including but not limited to:
   1. Partnering with qualified vendors/designers (e.g., NRC-licensed or pre-licensed advanced reactor designers with advanced reactor designs).
   2. Conducting or commissioning independent feasibility studies, site-specific assessments (including environmental, geological, and infrastructure evaluations), economic modeling (including levelized cost of energy, fuel cycle considerations, and ratepayer impact modeling), risk analyses, preliminary licensing/permitting preparations, and preliminary environmental reviews.
   3. Joint utility initiatives (e.g., statewide or multi-utility consortia for shared studies to achieve economies of scale).
   4. Reasonable administrative costs[10] directly tied to program management, with a cap of between 5-10% of annual collections.

B. Funds shall not be used for actual construction, licensing fees beyond preliminary stages,[11] lobbying, shareholder returns, or non-nuclear activities unless otherwise authorized by the LPSC. Any request for exceptions to this rule requires a separate filing and approval by the Commission prior to utilization of funding for any exceptions.

SECTION 401~~501~~. REPORTING REQUIREMENTS

A. Annual Reporting: During the LANE Program, each participating utility must file a detailed annual report with the LPSC by March 31 of each program year (covering the prior calendar year), including:
   1. Expenditures by category and project;
   2. Progress on studies/partnerships (e.g., vendor engagements, site evaluations completed, key findings);
   3. Any collaborative efforts with other utilities;
   4. Projected benefits to reliability, resilience, decarbonization, and ratepayers; and
   5. Challenges encountered and recommendations to remedy said challenges.

SECTION 501~~601~~. PROGRAM REVIEW AND RENEWAL

A. Review and Renewal: At the end of the initial five years, the LPSC will conduct a comprehensive program review (including effectiveness, fund usage, outcomes, ratepayer benefits, and any challenges). The Commission may then authorize continuation for an additional five-year cycle, modify the surcharge amount/structure, or terminate the program.

B. If the Program is terminated at the end of the initial five years, or after any authorized continuations, any funds remaining shall be refunded back to customers in a manner to be determined in a subsequent rate case.

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[10] Administrative costs include, but are not limited to, program management labor; outside legal and/or regulatory support; financial tracking; audit support; document management and reporting; and stakeholder support.

[11] Pre-licensing activities that are meaningful for nuclear exploration such as NRC pre-application support; licensing strategy; review of prior licensing basis documents; site selection efforts including site characterization; gap analysis against existing site and licensing assets; and state and local permit support are recoverable under the LANE Program.

ATTACHMENT B
(Clean Version)

LOUISIANA ADVANCED NUCLEAR EXPLORATION PROGRAM

LOUISIANA PUBLIC SERVICE COMMISSION

LOUISIANA ADVANCED NUCLEAR EXPLORATION PROGRAM

PURPOSE

The Louisiana Advanced Nuclear Exploration ("LANE") Program (the "Program") is an initiative by the Louisiana Public Service Commission ("Commission" or "LPSC") to proactively support the early-stage evaluation and potential integration of new nuclear generation technologies into the state's regulated electric generation fleet. This Program seeks to support the evaluation and potential deployment of nuclear generation technologies, including large light water reactors, small modular reactors ("SMRs"), microreactors, Generation III+ technologies, and next-generation high-temperature reactors suitable for industrial applications and baseload power, promoting long-term grid reliability, resilience, economic benefits to consumers, and decarbonization goals. The LANE Program supports implementation of recommendations from the Louisiana Advanced Nuclear Competitive Edge ("LANCE") Strategic Framework.

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Consistent with the above authority, the Commission has adopted rules and regulations through Commission Orders that apply to utilities in general, and in some instances, electric utilities specifically. The blanket authority to regulate public utilities granted above; however, is not absolute, as it is subject to the following limitations regarding utilities owned, operated, or regulated by a political subdivision:

> **<u>Limitation.</u>** The Commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by the approval of a majority of the electors voting in an election held for that purpose; however, a political subdivision may reinvest itself with such regulatory power in the manner in which it was surrendered. This paragraph shall not apply to safety regulations pertaining to the operation of such utilities.

SECTION 101. PROGRAM PURPOSE

The LANE Program aims to:

F. Enable investor-owned utilities ("IOUs")- specifically AEP Southwestern Electric Power Company ("SWEPCO"), Cleco Power LLC ("Cleco Power"), and Entergy Louisiana ("ELL") - and any interested rural electric cooperatives who elect to participate (via voluntary opt-in) (hereinafter "Utilities") - to partner with qualified[12] nuclear technology vendors and designers. Utilities remain 100% responsible for program execution, fund utilization, and outcomes, subject to ongoing LPSC plenary authority, oversight, audits, and potential adjustments or termination.

    2. As the Program requires a change to each utility's tariff, participating utilities are required to comply with Section 501(C) of General Order dated July 1, 2019 (Docket No. R-34738) (the Commission's rules regarding Electric Utility Tariff Filings).[13]

G. Fund feasibility studies, site assessments (including environmental, geological, and infrastructure evaluations), economic analyses (including levelized cost of energy, fuel cycle considerations, and ratepayer impact modeling), and preliminary licensing/permitting preparations.

H. Reduce early-stage financial risks and barriers that currently deter exploration of advanced nuclear options.

I. Foster collaboration among utilities for economies of scale (e.g., joint studies or shared vendor engagements) while allowing independent pursuits where appropriate.

J. Position Louisiana as a leader in advanced nuclear deployment, aligning with state interests in energy abundance, industrial growth, and federal incentives.

SECTION 201. FUNDING MECHANISM

D. Customer Surcharge/Rider: Each participating utility may implement a uniform monthly surcharge/rider of $0.20 per electric meter applied to all metered customers (residential, commercial, industrial, and other classes) in their Louisiana service territory.

E. Duration: Initial authorization for a five-year period (e.g., commencing upon LPSC approval and first collection, targeted for Fall of 2026-2030).

F. Collection and Accounting: Funds collected via the surcharge/rider will be placed in a separate, interest-bearing account dedicated solely to approved program activities as described in Section 401. Utilities will track and report expenditures transparently; unspent funds carry over year-to-year, but remain restricted to program purposes.

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[12] "Qualified" refers to a vendor and/or designer's ability to satisfy one or more of the following criteria:

- holder of an NRC design certification, license, or has submitted a part 50 or part 52 license application with the NRC;
- active pre-application or licensing engagement with the NRC;
- demonstrated nuclear project development, engineering, licensing, or EPC experience; and/or
- specialized capability in nuclear siting, environmental, Geotech, transmission, permitting, financing, supply chain, or owner's engineer.

[13] In re: Proceeding to establish rules regarding electric utility tariff filings and related review, including site specific rate filings.

SECTION 301. APPROVED PROGRAM ACTIVITIES

C. Funds shall be used for early-stage evaluation activities, including but not limited to:

5. Partnering with qualified vendors/designers (e.g., NRC-licensed or pre-licensed advanced reactor designers with advanced reactor designs).
6. Conducting or commissioning independent feasibility studies, site-specific assessments (including environmental, geological, and infrastructure evaluations), economic modeling (including levelized cost of energy, fuel cycle considerations, and ratepayer impact modeling), risk analyses, preliminary licensing/permitting preparations, and preliminary environmental reviews.
7. Joint utility initiatives (e.g., statewide or multi-utility consortia for shared studies to achieve economies of scale).
8. Reasonable administrative costs[14] directly tied to program management, with a cap of between 5-10% of annual collections.

D. Funds shall not be used for actual construction, licensing fees beyond preliminary stages,[15] lobbying, shareholder returns, or non-nuclear activities unless otherwise authorized by the LPSC. Any request for exceptions to this rule requires a separate filing and approval by the Commission prior to utilization of funding for any exceptions.

SECTION 401. REPORTING REQUIREMENTS

B. Annual Reporting: During the LANE Program, each participating utility must file a detailed annual report with the LPSC by March 31 of each program year (covering the prior calendar year), including:

6. Expenditures by category and project;
7. Progress on studies/partnerships (e.g., vendor engagements, site evaluations completed, key findings);
8. Any collaborative efforts with other utilities;
9. Projected benefits to reliability, resilience, decarbonization, and ratepayers; and
10. Challenges encountered and recommendations to remedy said challenges.

SECTION 501. PROGRAM REVIEW AND RENEWAL

C. Review and Renewal: At the end of the initial five years, the LPSC will conduct a comprehensive program review (including effectiveness, fund usage, outcomes, ratepayer benefits, and any challenges). The Commission may then authorize continuation for an additional five-year cycle, modify the surcharge amount/structure, or terminate the program.

D. If the Program is terminated at the end of the initial five years, or after any authorized continuations, any funds remaining shall be refunded back to customers in a manner to be determined in a subsequent rate case.

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[14] Administrative costs include, but are not limited to, program management labor; outside legal and/or regulatory support; financial tracking; audit support; document management and reporting; and stakeholder support.

[15] Pre-licensing activities that are meaningful for nuclear exploration such as NRC pre-application support; licensing strategy; review of prior licensing basis documents; site selection efforts including site characterization; gap analysis against existing site and licensing assets; and state and local permit support are recoverable under the LANE Program.

Service List for R-37871
as of 8/6/2026

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