

ATTACHMENT 1

Joint Resolution

JOINT RESOLUTION

The Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively), Wolf Creek Nuclear Operating Corporation (“Wolf Creek”), Kansas Gas and Electric Company d/b/a Westar Energy (“Westar”), Kansas City Power & Light Company (“KCP&L”), Kansas Electric Power Cooperative, Inc. (“KEPCo”) (collectively referred to as the “Parties”) hereby resolve that the owners of the Wolf Creek Nuclear Operating Station (“Station”) shall update the Decommissioning Financing Plan (“Plan”) for such Station by filing a comprehensive updated Plan by September 1, 2017 for Commission review under K.S.A. 66-128o. Such updated Plan shall include the following sections including updates to the components of the Wolf Creek Plan as listed in 66-128m, Section (b).

- I. Joint Pleading (Utility Owners).
Joint Pleading discussing the history of this docket, and why this Plan is being comprehensively updated at this time. Include references to statutes and prior Commission Orders regarding periodic review of the Plan. Include discussion of components of filing as listed below.
- II. Triennial Wolf Creek Decommissioning Cost Study by TLG (or other contractor)
Such Study will include:
 - a. An estimate of the date of closing of the nuclear power generating facility (1)¹;
 - b. An estimate of the cost of decommissioning the facility, expressed in dollars current in the year the Plan is prepared, and based on an engineering report issued within three years of the date the Plan is submitted to the Commission (2); and
 - c. A description of the stages by which decommissioning is intended to be accomplished (9).
- III. Escalation Rate, Estimated Cost at Decommissioning
Recommendation and supporting testimony for escalation rate for decommissioning cost. Include estimated decommissioning cost at 2045 given Cost Study with application of recommended escalation rate, and the share of the estimated decommissioning costs attributed to each owner (3). Also include the amount of money which customers of each owner utility have been charged for the decommissioning up to the date of submission of the Plan and the total amount necessary to meet the projected decommissioning costs of the facility, over the remaining useful life of the facility (6).
- IV. Utility Funding Plans (4)
Individual Owner utility currently approved Annual Contributions and schedules for collection of the estimated decommissioning costs through final decommissioning of the

¹ The parentheticals noted throughout the Joint Resolution refer to the eleven numbered items under K.S.A. 66-128m(b).

Station. Include discussion of process for each utility to update its Annual Contribution level through Commission action. Also discuss tax status of decommissioning funds and other relevant fund information, such as investment guidelines, etc. This should include an overall section and a section for each utility owner.

V. Financial Responsibility

- a. A fully executed decommissioning financing agreement between the licensee and each owner, evidencing each owner's acceptance of its respective share of the ultimate financial responsibility for decommissioning. In satisfaction of this requirement, the licensee may submit existing ownership agreements together with documentation from each owner of the applicability of the agreement to the case of financial responsibility for decommissioning (10). (Include ownership and operating agreements as (confidential) appendices.)
- b. Plans and options for insuring against or otherwise financing premature closing of the facility (7), including but not limited to:
 - i. Plan/options to ensure that the contribution amount set for the decommissioning trust fund for each owner is reasonable given the possibility for premature closing;
 - ii. Options to address the potential for a decommissioning trust fund shortfall in the event of premature closing;
 - iii. Plan/options to address recovery of depreciation expense for Wolf Creek by the owners; and
 - iv. Discussion of regulatory treatment and rate recovery options that would ensure that owners fully recover their investment and return on their investment even in the event of a premature closing including rate adjustments in current rate periods or continued rate recovery after the plant is closed.
- c. Reasonable assurance of responsibility in the event of insufficient assets to fund the decommissioning (8).

VI. Periodic Review

Plans for continued periodic review and updating of the Plan, including the estimated cost of decommissioning (5).

VII. Commission Requested Information

Other information related to the financing of decommissioning which the Commission requests (11):

- a. Department of Energy (DOE) fund;
- b. DOE lawsuit history;
- c. Decommissioning efforts to date for U.S. nuclear plants including

- i. decommissioning methods employed;
 - ii. reason for decommissioning if performed prior to end of plant life expectancy;
 - iii. actual cost of decommissioning;
 - iv. comparison of actual cost of decommissioning to previous decommissioning cost estimates for plant.
- d. Independent Spent Fuel Storage Installation (ISFSI) – timing, legal and other issues; and
- e. Other spent fuel discussion, as appropriate.