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Xcel Energy Information Request No. 1-2  
Docket No.: EL21-035  
Response To: South Dakota Public Utilities Commission  
Requestor: Patrick Steffensen  
Date Received: January 5, 2022

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Question:

Refer to the first sentence of Section A on page 3 of the Petition. Confirm it should say “utilities contributed 1.0 mil for every kilowatt-hour” and not “utilities contributed \$1.0 million for every kilowatt-hour”.

Response:

We can confirm that the first sentence of Section A on page 3 of our Petition should read as follows: “utilities contributed 1.0 mil for every kilowatt-hour.” This requirement comes from the Nuclear Waste Policy Act<sup>1</sup> which established a framework for the permanent disposal of high-level radioactive waste.<sup>2</sup> Under the Act and subsequent regulations, utilities are required to enter into Standard Contracts for Disposal of Spent Nuclear Fuel (“Standard Contracts”).<sup>3</sup> In exchange for the DOE’s commitment to dispose of the spent nuclear fuel, utilities contribute 1.0 mil for every kilowatt-hour of electricity generated by their nuclear power plants to the Nuclear Waste Fund (“NWF”).<sup>4</sup>

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<sup>1</sup> 42 U.S.C. §§ 10101 et seq (2006).

<sup>2</sup> 42 U.S.C. § 10131(a)(4).

<sup>3</sup> 10 C.F.R. § 961.11 (2010).

<sup>4</sup> 42 U.S.C. § 10222(a)(2).