

# **WEST VIRGINIA LEGISLATURE**

**2025 REGULAR SESSION**

**ENGROSSED**

**Committee Substitute**

**for**

**House Bill 2205**

By Delegate Steele and Young

[Originating in the Committee on Energy and Public

Works, March 20, 2025]



1 A BILL to amend the Code of West Virginia, 1931, as amended; by adding a new section,  
2 designated §24-2-1s, relating to certification by the Public Service Commission of  
3 advanced small modular and micro nuclear reactors; clarifying that the commission has  
4 authority and may issue and, as applicable, modify siting certificates and certificates of  
5 convenience and necessity for advanced small modular and micro nuclear reactors for the  
6 generation of electric power to the extent the authority is not preempted by federal law; and  
7 providing for rule making authority over the same to the extent the authority is not  
8 preempted by federal law.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**

**§24-2-1s. Certification of advanced small modular nuclear reactors and micronuclear  
reactors for electric power generation.**

1 (a) To the extent not in conflict with federal law, the commission has jurisdiction to issue,  
2 refuse to issue, or issue in part and refuse in part, siting certificates, under §24-2-1(d) and §24-2-  
3 11c of this code for construction and operation of advanced small modular and micro nuclear  
4 reactors for electric power generating facilities, and for the modification of such certificates.

5 (b) To the extent not in conflict with federal law, the commission has jurisdiction to issue,  
6 refuse to issue, or issue in part and refuse in part, certificates of convenience and necessity to  
7 public utilities under §24-2-11 of this code for construction of advanced small modular and micro  
8 nuclear reactors for electric power generating facilities.

9 (c) The commission may promulgate such rules as may be necessary to carry out the  
10 provisions of this section which are not in conflict with federal law.