



# POWERING PROSPERITY: FIVE STATE-LEVEL REFORMS TO UNLEASH ABUNDANT, AFFORDABLE ELECTRICITY

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## **Reform 1: Create a State-Level Welcome Mat for Nuclear Energy**

Advanced nuclear energy is uniquely positioned to provide reliable and clean energy to grow our economy, yet decades of federal regulatory paralysis and lingering state-level prohibitions have made new nuclear development exceedingly rare.

States can act where federal processes have stalled. The Overturn Prohibitions and Establish a Nuclear Coordinator (OPEN) Act model takes a straightforward approach:

- Repeal explicit or implicit state bans on nuclear development.
- Establish a dedicated state nuclear coordinator to guide projects through permitting, siting, and interagency review.<sup>1</sup>

Utah offers a useful example. By creating a nuclear development role within its Office of Energy Development, Utah has attracted interest from multiple advanced nuclear firms and aligned its efforts with neighboring states that already host critical nuclear infrastructure.

States that proactively remove outdated barriers and build a runway for responsible development will capture the next generation of nuclear investment and attract new industries.

## **Reform 2: Make Permitting Transparent and Predictable**

Opaque permitting processes impose real economic costs. When timelines are uncertain and responsibility is unclear, projects stall, capital sits idle, and public trust erodes. Transparency alone can dramatically improve performance.

Permitting transparency dashboards function like package-tracking systems for permit applications. They show:

- Where an application sits in the process
- Which agency or official is responsible for the next step
- How long each stage takes relative to statutory or target timelines

These dashboards do not change environmental standards. They simply make the process visible and accountable. Virginia's experience illustrates the impact. After implementing a statewide permitting transparency portal, the state reported reductions in environmental permitting timelines of up to 65 percent in certain agencies, from more than 335 days to around 120 days. More than 100,000 applications now move through the system with real-time public visibility.

For states seeking faster results without major statutory overhauls, implementing transparency dashboards is a proven and high-return reform.

## **Reform 3: Enable Consumer-Regulated, Off-Grid Electricity**

The traditional regulated utility model remains foundational—but it is not always well-suited to rapid innovation or specialized energy needs. States can unlock new solutions by allowing consumer-regulated, off-grid electricity systems to operate outside the traditional utility framework. This is a regulatory sandbox to foster innovation in a heavily-regulated area without any risk to existing customers.

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1 "Overturn Prohibitions and Establish a Nuclear Coordinator Act", American Legislative Exchange Council, January 2026, <https://alec.org/model-policy/overturn-prohibitions-and-establish-a-nuclear-coordinator-open-act/>.

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The principle is straightforward: if an electricity provider generates, transmits, and sells power entirely independent of the regulated grid, it should not be regulated as a public utility. If it later interconnects, regulation applies. New Hampshire has codified this approach by creating a legal category for off-grid electricity providers.<sup>2</sup>

## Reform 4: Authorize Third-Party Permitting and Inspections

Permitting backlogs are often capacity problems, not policy failures. States can address them by authorizing qualified third-party professionals to perform plan reviews and inspections using the same codes and standards as public agencies.

This reform introduces competition and flexibility into a core government function while preserving safety and accountability.

Florida has used third-party inspections for decades. Texas, Tennessee, and other states have adopted similar models, often triggered when local governments fail to meet established timelines. These programs accelerate housing, distributed energy, and infrastructure projects while allowing public agencies to focus on oversight rather than throughput.<sup>3</sup>

## Reform 5: Design for Speed and Certainty

States should architect their permitting systems for speed and certainty—especially for large, capital-intensive energy projects. Several tools have proven effective:

→ **Shot clocks, automatic approvals, and permits by rule.** Binding deadlines create strong incentives for timely action. Where permits can be issued by rule, they improve certainty for applicants. State leaders should also borrow from Arizona’s “deemed approved” framework to create a clear backstop when agencies fail to act.

→ **Limits on energy bans and moratoria.** Open-ended bans on energy development create uncertainty and suppress investment in all forms of energy. Model policies limit moratoria in duration and require clear findings tied to public health or safety.<sup>4</sup>

→ **Financial accountability mechanisms.** Money-back guarantees for permits when agencies miss deadlines, and options to pay for expedited processes encourage promptness in every case and can speed up the most valuable projects.

→ **Faster development at existing and brownfield sites.** Streamlining replacements for co-located generation—particularly at retiring facilities—turns grid constraints into opportunities. Arizona House Bill 2774 (2024) provides a useful framework for getting new nuclear energy online at existing generation sites.<sup>5</sup>

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Bryce Chinault  
*Director of State Government Affairs*  
[bryce@abundance.institute](mailto:bryce@abundance.institute)

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2 New Hampshire House Bill 672, <https://legiscan.com/NH/bill/HB672/2025>.

3 “The Homeowners’ Right to Choose Inspection and Review Services Act,” American Legislative Exchange Council, January 2026, <https://alec.org/model-policy/the-homeowners-right-to-choose-inspection-and-review-services-act-3/>.

4 State Energy Facility Siting and Permit Certainty Act, <https://alec.org/model-policy/state-energy-facility-siting-and-permit-certainty-act/>.

5 Arizona House Bill 2774, <https://apps.azleg.gov/BillStatus/BillOverview/83238>.

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