

117TH CONGRESS
2D SESSION

H. R. 9326

To amend the Federal Power Act to authorize the allocation of the costs of certain interstate electric power transmission lines and electric power transmission lines that are located offshore, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2022

Ms. CASTOR of Florida introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Power Act to authorize the allocation of the costs of certain interstate electric power transmission lines and electric power transmission lines that are located offshore, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Enhancing Electric
5 Grid Resilience Act”.

1 **SEC. 2. ALLOCATION OF COSTS OF CERTAIN TRANSMISSION**
2 **FACILITIES.**

3 Part II of the Federal Power Act (16 U.S.C. 824 et
4 seq.) is amended by adding at the end the following:

5 **“SEC. 224. ALLOCATION OF COSTS OF CERTAIN TRANS-**
6 **MISSION FACILITIES.**

7 “(a) ALLOCATION OF COSTS.—

8 “(1) IN GENERAL.—Any entity that proposes to
9 own, control, or operate a transmission facility of
10 national significance may file a tariff with the Com-
11 mission in accordance with section 205 and the reg-
12 ulations of the Commission allocating the costs of
13 such transmission facility of national significance.

14 “(2) COST CAUSATION PRINCIPLE.—The Com-
15 mission shall require that any tariff filed under
16 paragraph (1) allocate the costs of a transmission
17 facility of national significance to customers within
18 the applicable transmission planning region or re-
19 gions in a manner that is at least roughly commen-
20 surate with the estimated anticipated benefits de-
21 scribed in paragraph (3).

22 “(3) COST ALLOCATION PRINCIPLE.—The Com-
23 mission shall require that any tariff filed under
24 paragraph (1) allocate costs based on the broad
25 range of reliability, economic, public policy, resil-
26 ience, and other reasonably anticipated benefits of

1 the applicable transmission facility of national sig-
2 nificance.

3 “(b) TRANSMISSION FACILITY OF NATIONAL SIG-
4 NIFICANCE.—In this section, the term ‘transmission facil-
5 ity of national significance’ means—

6 “(1) an interstate electric power transmission
7 line (and any facilities necessary for the operation of
8 such electric power transmission line) or an electric
9 power transmission line that is located offshore (and
10 any facilities necessary for the operation of such
11 electric power transmission line)—

12 “(A) that has a transmission capacity of
13 not less than 1,000 megawatts; and

14 “(B) the construction of which is com-
15 pleted on or after the date of enactment of this
16 section; or

17 “(2) an expansion of, or upgrade to, an inter-
18 state electric power transmission line (and any facili-
19 ties necessary for the operation of such electric
20 power transmission line) or an electric power trans-
21 mission line that is located offshore (and any facili-
22 ties necessary for the operation of such electric
23 power transmission line) that—

1 “(A) increases the transmission capacity of
2 such electric power transmission line by at least
3 500 megawatts; and

4 “(B) is completed on or after the date of
5 enactment of this section.

6 “(c) SAVINGS PROVISION.—This section does not af-
7 fect the authority of the Commission to approve the alloca-
8 tion of costs of transmission facilities other than trans-
9 mission facilities of national significance.”.

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