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119TH CONGRESS
1ST SESSION

H. R. 3157

To amend the Public Utility Regulatory Policies Act of 1978 to add a standard related to the evaluation of State intermittent energy policies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2025

Mr. LANGWORTHY (for himself and Mr. EVANS of Colorado) introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

To amend the Public Utility Regulatory Policies Act of 1978 to add a standard related to the evaluation of State intermittent energy policies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''State Energy Accountability Act''.

SEC. 2. CONSIDERATION OF EFFECTS OF STATE POLICIES ON RELIABLE AVAILABILITY OF ELECTRIC ENERGY.

Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(22) EVALUATION OF EFFECTS OF STATE POLICIES ON RELIABLE AVAILABILITY OF ELECTRIC ENERGY.—

''(A) IN GENERAL.—Each State regulatory authority that implements an intermittent energy policy shall conduct, and make publicly available, a general evaluation of—

''(i) the effects of implementing the intermittent energy policy on the reliability of the bulk-power system in the State, including an assessment of the adequacy of available electric energy resources over a 10-year period;

''(ii) the ability of electric energy resources that comply with the requirements of the intermittent energy policy to meet electric energy demand during emergencies, periods of high demand, or extreme weather events;

"(iii) the effects of implementing the intermittent energy policy on rates charged by electric utilities;

"(iv) whether reliable generation facilities that are removed from service in order to comply with the requirements of the intermittent energy policy can be replaced with sufficient electric generation facilities meeting such requirements, which have a capacity accreditation that is equivalent to the capacity accreditation of the removed facilities, to maintain the reliability of the bulk-power system in the State; and

"(v) the extent to which implementation of the intermittent energy policy requires electric utilities in the State to use replacement electric energy supplies that are generated by reliable generation facilities located outside the State in order to maintain the reliability of the bulk-power system in the State.

"(B) PRIOR STATE ACTIONS.—Notwithstanding section 124 and paragraphs (1) and (2) of section 112(a), each State regulatory au-

thority shall consider and make a determination concerning the standard set out in subparagraph (A) in accordance with the requirements of subsections (a) and (b) of this section, without regard to any proceedings commenced prior to the enactment of this paragraph.

''(C) TIME LIMITATION.—Notwithstanding subsections (b) and (c) of section 112, each State regulatory authority shall consider and make a determination concerning whether it is appropriate to implement the standard set out in subparagraph (A) not later than 1 year after the date of enactment of this paragraph.

''(D) PUBLIC AVAILABILITY.—A State regulatory authority that has made a determination concerning whether to implement, and is implementing, the standard set out in subparagraph (A) shall make publicly available the general evaluation described in such subparagraph—

''(i) if the applicable State has adopted an intermittent energy policy before the date on which the State regulatory authority makes such determination, not later

than 1 year after such date of determination; and

''(ii) if the applicable State adopts an intermittent energy policy after the date on which the State regulatory authority makes such determination, not later than 1 year after the date of such adoption.

''(E) DEFINITIONS.—In this paragraph:

''(i) BULK-POWER SYSTEM.—The term 'bulk-power system' has the meaning given that term in section 215 of the Federal Power Act (16 U.S.C. 824o).

''(ii) INTERMITTENT ENERGY POLICY.—The term 'intermittent energy policy' means any requirement of a State, enforced by a State regulatory authority, that a State regulated electric utility ensure that a specified portion of the electric energy sold by such electric utility is generated by facilities that are not reliable generation facilities.

''(iii) RELIABLE GENERATION FACILITY.—The term 'reliable generation facility' means an electric generation facility

that ensures the reliable availability of electric energy by—

"(I) having operational characteristics to enable the generation of electric energy on a continuous basis for a period of not fewer than 30 days;

"(II) having—

"(aa) adequate fuel, or a continuously available energy source, on-site to enable the generation of electric energy on a continuous basis for a period of not fewer than 30 days; or

"(bb) contractual obligations that ensure adequate fuel supply to achieve the generation of electric energy on a continuous basis for a period of not fewer than 30 days;

"(III) having operational characteristics to enable the generation of electric energy during emergency and severe weather conditions; and

''(IV) providing essential services related to the reliable availability of electric energy, including frequency support and voltage support.''.

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