

119TH CONGRESS
1ST SESSION

H. R. 3632

To amend the Federal Power Act to adjust the requirements for orders, rules, and regulations relating to furnishing adequate service, to require owners or operators of generating facilities to provide notice of planned retirements of certain electric generating units, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 29, 2025

Mr. GRIFFITH introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To amend the Federal Power Act to adjust the requirements for orders, rules, and regulations relating to furnishing adequate service, to require owners or operators of generating facilities to provide notice of planned retirements of certain electric generating units, 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 “Power Plant Reliability
5 Act of 2025”.

1 **SEC. 2. FURNISHING OF ADEQUATE SERVICE; ADVANCE NO-**
2 **TICE OF PLANNED RETIREMENTS.**

3 Section 207 of the Federal Power Act (16 U.S.C.
4 824f) is amended to read as follows:

5 **“SEC. 207. FURNISHING OF ADEQUATE SERVICE; ADVANCE**
6 **NOTICE OF PLANNED RETIREMENTS.**

7 “(a) FURNISHING OF ADEQUATE SERVICE.—

8 “(1) IN GENERAL.—Whenever the Commission,
9 upon complaint of a State commission or a Trans-
10 mission Organization, after notice to each State
11 commission and public utility affected, and after op-
12 portunity for hearing within 90 days of receipt of
13 such complaint, finds that any interstate service of
14 any public utility is inadequate or insufficient, or is
15 likely to become inadequate or insufficient within 5
16 years of receiving such complaint, the Commission
17 shall determine the proper, adequate, or sufficient
18 service to be furnished, and shall fix the same by
19 issuing an order, rule, or regulation.

20 “(2) REQUIREMENTS.—The Commission, in an
21 order, rule, or regulation issued under paragraph
22 (1)—

23 “(A) may not—

24 “(i) compel the enlargement of gener-
25 ating facilities; or

1 “(ii) compel the public utility to sell
2 or exchange electric energy when to do so
3 would impair its ability to render proper,
4 adequate, or sufficient service to its cus-
5 tomers;

6 “(B) may require—

7 “(i) continuing the operation of an
8 electric generating unit; and

9 “(ii) any affected State commission,
10 Transmission Organization, or public util-
11 ity to develop and implement a long-term
12 plan for the planning, construction, and
13 operation of interstate transmission facili-
14 ties that may be necessary for the public
15 utility to provide adequate and sufficient
16 interstate service; and

17 “(C) shall determine—

18 “(i) any rate or charge necessary to
19 provide compensation for the additional
20 costs of the proper, adequate, or sufficient
21 service to be furnished, including com-
22 pensation to an owner or operator of an
23 electric generating unit that is required to
24 continue to operate under such order, rule,
25 or regulation; and

1 “(ii) the cost allocation of any rate or
2 charge.

3 “(3) TERM LENGTH.—Except as provided in
4 paragraph (4), an order, rule, or regulation issued
5 under paragraph (1) shall terminate on the date
6 that the Commission determines appropriate, which
7 may not be later than 5 years after the date on
8 which the Commission issues such order, rule, or
9 regulation.

10 “(4) EXTENSION.—

11 “(A) REQUEST FOR EXTENSION.—Not ear-
12 lier than the date that is 180 days prior to the
13 date on which an order, rule, or regulation ter-
14 minates, as determined under paragraph (3),
15 and not later than 60 days prior to such termi-
16 nation date, any affected State commission,
17 Transmission Organization, or public utility
18 may submit to the Commission a request to ex-
19 tend such order, rule, or regulation.

20 “(B) DEADLINE.—With respect to a re-
21 quest submitted under subparagraph (A), the
22 Commission shall—

23 “(i) not later than 14 days after the
24 date on which the Commission receives the
25 request, notify each affected State commis-

1 sion, Transmission Organization, and pub-
2 lic utility of the request;

3 “(ii) provide an opportunity for a
4 hearing on the request before accepting or
5 denying the request under clause (iii); and

6 “(iii) not later than 60 days after the
7 date on which the Commission receives the
8 request—

9 “(I) accept the request and ex-
10 tend the applicable order, rule, or reg-
11 ulation; or

12 “(II) deny the request.

13 “(C) TERM LENGTH.—An order, rule, or
14 regulation extended under subparagraph (B)
15 shall terminate on the date that the Commis-
16 sion determines appropriate, which may not be
17 later than 5 years after the date on which the
18 Commission extended such order, rule, or regu-
19 lation.

20 “(5) TREATMENT OF CERTAIN ACTIONS.—To
21 the extent an omission or action taken by a party,
22 that is necessary to comply with an order, rule, or
23 regulation issued or extended under this subsection,
24 including any omission or action taken to voluntarily
25 comply with such order, rule, or regulation, results

1 in noncompliance with, or causes such party to not
2 comply with, any Federal, State, or local environ-
3 mental law or regulation, such omission or action
4 shall not be considered a violation of such environ-
5 mental law or regulation, or subject such party to
6 any requirement, civil or criminal liability, or a cit-
7 izen suit under such environmental law or regula-
8 tion.

9 “(b) ADVANCE NOTICE OF PLANNED RETIRE-
10 MENTS.—

11 “(1) IN GENERAL.—If an owner or operator of
12 a generating facility plans to retire an electric gener-
13 ating unit that is a component of such facility, such
14 owner or operator shall submit to the Commission
15 and any affected State commission or Transmission
16 Organization a notice of such plan at least 5 years
17 before the date on which such owner or operator
18 plans to retire such electric generating unit.

19 “(2) UNPLANNED RETIREMENTS.—An owner or
20 operator of a generating facility that retires an elec-
21 tric generating unit due to an unplanned catas-
22 trophe, emergency, disaster, or similar event that
23 renders such electric generating unit inoperable is
24 not subject to the notice requirement described in
25 paragraph (1).

1 “(3) PUBLICLY AVAILABLE.—The Commission
2 shall make publicly available each notice submitted
3 under paragraph (1).

4 “(c) DEFINITIONS.—In this section:

5 “(1) BULK-POWER SYSTEM.—The term ‘bulk-
6 power system’ has the meaning given such term in
7 section 215(a).

8 “(2) ELECTRIC GENERATING UNIT.—The term
9 ‘electric generating unit’ means an electric energy
10 producing unit that—

11 “(A) is a component of a generating facil-
12 ity;

13 “(B) has a power production capacity of
14 not less than 5 megawatts; and

15 “(C) is interconnected to the bulk-power
16 system.

17 “(3) RETIRE.—The term ‘retire’, with respect
18 to an electric generating unit, means to, for an in-
19 definite period of time—

20 “(A) idle the electric generating unit;

21 “(B) disconnect the electric generating
22 unit from the bulk-power system; or

1 “(C) otherwise make unavailable for sale
2 all electric energy that is generated by the elec-
3 tric generating unit.”.

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