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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Federal Power Act to streamline the siting of certain
transmission facilities in the national interest.

IN THE HOUSE OF REPRESENTATIVES

Mr. PETERS introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Federal Power Act to streamline the siting
of certain transmission facilities in the national interest.

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 “Streamlining
5 Powerlines Essential to Electric Demand and Reliability
6 Act of 2025” or the “SPEED and Reliability Act of
7 2025”.

1 **SEC. 2. TRANSMISSION PERMITTING.**

2 (a) DEFINITIONS.—Section 216 of the Federal Power
3 Act (16 U.S.C. 824p) is amended by striking subsection
4 (a) and inserting the following:

5 “(a) DEFINITIONS.—In this section:

6 “(1) COMMISSION.—The term ‘Commission’
7 means the Federal Energy Regulatory Commission.

8 “(2) ERO.—The term ‘ERO’ has the meaning
9 given such term in section 215(a).

10 “(3) IMPROVED RELIABILITY.—The term ‘im-
11 proved reliability’ means that, on balance, consid-
12 ering each of the matters described in subpara-
13 graphs (A) through (D), reliability is improved in a
14 material manner that benefits customers through at
15 least one of the following:

16 “(A) Facilitating compliance with a man-
17 datory standard for reliability approved by the
18 Commission under section 215.

19 “(B) A reduction in expected unserved en-
20 ergy, loss of load hours, or loss of load prob-
21 ability (as defined by the ERO).

22 “(C) Facilitating compliance with a tariff
23 requirement or process for resource adequacy
24 on file with the Commission.

25 “(D) Any other similar material improve-
26 ment, including a reduction in correlated outage

1 risk, such as achieved through increased geo-
2 graphic or resource diversification.

3 “(4) LANDOWNER INPUT.—The term ‘land-
4 owner input’ means input received—

5 “(A) by the Commission;

6 “(B) from affected landowners, such as
7 farmers and ranchers, in the path of the pro-
8 posed construction or modification of an electric
9 transmission facility; and

10 “(C) pursuant to notification provided to,
11 and consultation with, those affected land-
12 owners, farmers, and ranchers by the Commis-
13 sion.

14 “(5) SECRETARY.—The term ‘Secretary’ means
15 the Secretary of Energy.”.

16 (b) CONSTRUCTION PERMIT.—Section 216(b) of the
17 Federal Power Act (16 U.S.C. 824p(b)) is amended—

18 (1) in the matter preceding paragraph (1), by
19 striking “Except” and all that follows through
20 “finds that” and inserting “Except as provided in
21 subsections (d)(1) and (i), the Commission shall,
22 after notice and an opportunity for hearing, includ-
23 ing a public comment period of at least 60 days,
24 issue one or more permits for the construction or
25 modification of electric transmission facilities nec-

1 essary in the national interest if the Commission
2 finds that”;

3 (2) in paragraph (1)—

4 (A) in subparagraph (A)(i), by inserting
5 “or modification” after “siting”; and

6 (B) in subparagraph (C)—

7 (i) in the matter preceding clause (i),
8 by inserting “or modification” after
9 “siting”; and

10 (ii) in clause (i), by striking “the later
11 of” in the matter preceding subclause (I)
12 and all that follows through the semicolon
13 at the end of subclause (II) and inserting
14 “the date on which the application was
15 filed with the State commission or other
16 entity;”; and

17 (3) by striking paragraphs (2) through (6) and
18 inserting the following:

19 “(2) the proposed facilities will be used for the
20 transmission of electric energy in interstate (includ-
21 ing transmission from the outer Continental Shelf to
22 a State) or foreign commerce;

23 “(3) the proposed construction or modification
24 is consistent with the public interest;

1 “(4) the proposed construction or modification
2 will significantly reduce transmission congestion in
3 interstate commerce, protect or benefit consumers,
4 and provide improved reliability;

5 “(5) the proposed construction or modification
6 is consistent with sound national energy policy and
7 will enhance energy independence;

8 “(6) the electric transmission facilities are ca-
9 pable of transmitting electric energy at a voltage of
10 not less than 100 kilovolts or, in the case of facilities
11 that include advanced transmission conductors (in-
12 cluding superconductors), as defined by the Commis-
13 sion, voltages determined to be appropriate by the
14 Commission; and

15 “(7) the proposed modification (including
16 reconductoring) will maximize, to the extent reason-
17 able and economical, the transmission capabilities of
18 existing towers, structures, or rights-of-way.”.

19 (c) STATE SITING AND CONSULTATION.—Section
20 216 of the Federal Power Act (16 U.S.C. 824p) is amend-
21 ed by striking subsection (d) and inserting the following:

22 “(d) STATE SITING AND CONSULTATION.—

23 “(1) PRESERVATION OF STATE SITING AUTHOR-
24 ITY.—The Commission shall have no authority to
25 issue a permit under subsection (b) for the construc-

1 tion or modification of an electric transmission facil-
2 ity within a State except as provided in paragraph
3 (1) of that subsection.

4 “(2) CONSULTATION.—In any proceeding be-
5 fore the Commission under subsection (b), the Com-
6 mission shall afford each State in which a trans-
7 mission facility covered by the permit is or will be
8 located, each affected Federal agency and Indian
9 Tribe, private property owners, and other interested
10 persons, a reasonable opportunity to present their
11 views and recommendations with respect to the need
12 for and impact of a facility covered by the permit.

13 “(3) LANDOWNER INPUT.—In authorizing the
14 construction or modification of an electric trans-
15 mission facility under subsection (b), the Commis-
16 sion shall take into account landowner input.”.

17 (d) RIGHTS-OF-WAY.—Section 216(e)(3) of the Fed-
18 eral Power Act (16 U.S.C. 824p(e)(3)) is amended by
19 striking “shall conform” and all that follows through the
20 period at the end and inserting “shall be in accordance
21 with rule 71.1 of the Federal Rules of Civil Procedure.”.

22 (e) COST ALLOCATION.—

23 (1) IN GENERAL.—Section 216 of the Federal
24 Power Act (16 U.S.C. 824p) is amended by striking
25 subsection (f) and inserting the following:

1 “(f) COST ALLOCATION.—

2 “(1) TRANSMISSION TARIFFS.—For the pur-
3 poses of this section, any transmitting utility that
4 owns, controls, or operates electric transmission fa-
5 cilities that the Commission finds to be consistent
6 with the findings under paragraphs (2) through (6)
7 and, if applicable, (7) of subsection (b) shall file a
8 tariff or tariff revision with the Commission pursu-
9 ant to section 205 and the regulations of the Com-
10 mission allocating the costs of the new or modified
11 transmission facilities.

12 “(2) TRANSMISSION BENEFITS.—The Commis-
13 sion shall require that tariffs or tariff revisions filed
14 under this subsection are just and reasonable and al-
15 locate the costs of providing service to customers
16 that benefit, in accordance with the cost-causation
17 principle, including through—

18 “(A) improved reliability;

19 “(B) reduced congestion;

20 “(C) reduced power losses;

21 “(D) greater carrying capacity;

22 “(E) reduced operating reserve require-
23 ments; and

1 “(F) improved access to lower cost genera-
2 tion that achieves reductions in the cost of de-
3 livered power.

4 “(3) RATEPAYER PROTECTION.—Customers
5 that receive no benefit, or benefits that are trivial in
6 relation to the costs sought to be allocated, from
7 electric transmission facilities constructed or modi-
8 fied under this section shall not be involuntarily allo-
9 cated any of the costs of those transmission facili-
10 ties, provided, however, that nothing in this section
11 shall prevent a transmitting utility from recovering
12 such costs through voluntary agreement with its cus-
13 tomers.”.

14 (2) SAVINGS PROVISION.—If the Federal En-
15 ergy Regulatory Commission finds that the consider-
16 ations under paragraphs (2) through (6) and, if ap-
17 plicable, (7) of subsection (b) of section 216 of the
18 Federal Power Act (16 U.S.C. 824p) (as amended
19 by subsection (b)) are met, nothing in this section
20 or the amendments made by this section shall be
21 construed to exclude transmission facilities located
22 on the outer Continental Shelf from being eligible
23 for cost allocation established under subsection
24 (f)(1) of that section (as amended by paragraph
25 (1)).

1 (f) COORDINATION OF FEDERAL AUTHORIZATIONS
2 FOR TRANSMISSION FACILITIES.—Section 216(h) of the
3 Federal Power Act (16 U.S.C. 824p(h)) is amended—

4 (1) in paragraph (2), by striking the period at
5 the end and inserting the following: “, except that—

6 “(A) the Commission shall act as the lead
7 agency in the case of facilities permitted under
8 subsection (b); and

9 “(B) the Department of the Interior shall
10 act as the lead agency in the case of facilities
11 located on a lease, easement, or right-of-way
12 granted by the Secretary of the Interior under
13 section 8(p)(1)(C) of the Outer Continental
14 Shelf Lands Act (43 U.S.C. 1337(p)(1)(C)).”;

15 (2) in each of paragraphs (3), (4)(B), (4)(C),
16 (5)(B), (6)(A), (7)(A), (7)(B)(i), (8)(A)(i), and (9),
17 by striking “Secretary” each place it appears and in-
18 serting “lead agency”;

19 (3) in paragraph (4)(A), by striking “As head
20 of the lead agency, the Secretary” and inserting
21 “The lead agency”;

22 (4) in paragraph (5)(A), by striking “As lead
23 agency head, the Secretary” and inserting “The lead
24 agency”;

25 (5) in paragraph (7)—

1 (A) in subparagraph (A), by striking “18
2 months after the date of enactment of this sec-
3 tion” and inserting “18 months after the date
4 of enactment of the SPEED and Reliability Act
5 of 2025”; and

6 (B) in subparagraph (B)(i), by striking “1
7 year after the date of enactment of this sec-
8 tion” and inserting “18 months after the date
9 of enactment of the SPEED and Reliability Act
10 of 2025”.

11 (g) INTERSTATE COMPACTS.—Section 216(i) of the
12 Federal Power Act (16 U.S.C. 824p(i)) is amended—

13 (1) in paragraph (3), by striking “, including
14 facilities in national interest electric transmission
15 corridors”; and

16 (2) in paragraph (4)—

17 (A) in subparagraph (A), by striking “;
18 and” and inserting a period;

19 (B) by striking subparagraph (B); and

20 (C) by striking “in disagreement” in the
21 matter preceding subparagraph (A) and all that
22 follows through “(A) the” in subparagraph (A)
23 and inserting “unable to reach an agreement on
24 an application seeking approval by the”.

1 (h) TRANSMISSION INFRASTRUCTURE INVEST-
2 MENT.—Section 219(b)(4) of the Federal Power Act (16
3 U.S.C. 824s(b)(4)) is amended—

4 (1) in subparagraph (A), by striking “and”
5 after the semicolon at the end;

6 (2) in subparagraph (B), by striking the period
7 at the end and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(C) all prudently incurred costs associ-
10 ated with payments to jurisdictions impacted by
11 electric transmission facilities developed pursu-
12 ant to section 216.”.

13 (i) JURISDICTION.—Section 216 of the Federal
14 Power Act (16 U.S.C. 824p) is amended by striking sub-
15 section (k) and inserting the following:

16 “(k) JURISDICTION.—

17 “(1) ERCOT.—This section shall not apply with-
18 in the area referred to in section 212(k)(2)(A).

19 “(2) OTHER UTILITIES.—

20 “(A) IN GENERAL.—For the purposes of
21 this section, the Commission shall have jurisdic-
22 tion over all transmitting utilities, including
23 transmitting utilities described in section
24 201(f), but excluding any ERCOT utility (as
25 defined in section 212(k)(2)(B)).

1 “(B) CLARIFICATION.—Being subject to
2 Commission jurisdiction for the purposes of this
3 section shall not make an entity described in
4 section 201(f) a public utility for the purposes
5 of section 201(e).”.

6 (j) CONFORMING AMENDMENTS.—

7 (1) Section 50151(b) of Public Law 117–169
8 (42 U.S.C. 18715(b)) is amended by striking “des-
9 ignated by the Secretary to be necessary in the na-
10 tional interest under section 216(a) of the Federal
11 Power Act (16 U.S.C. 824p(a))”.

12 (2) Section 1222 of the Energy Policy Act of
13 2005 (42 U.S.C. 16421) is amended—

14 (A) in subsection (a)(1)(A), by striking “is
15 located in a national interest electric trans-
16 mission corridor designated under section
17 216(a) of the Federal Power Act and”; and

18 (B) in subsection (b)(1)(A), by striking “is
19 located in an area designated under section
20 216(a) of the Federal Power Act and”.

21 (3) Section 40106(h)(1)(A) of the Infrastruc-
22 ture Investment and Jobs Act (42 U.S.C.
23 18713(h)(1)(A)) is amended by striking “(A) is lo-
24 cated in” and all that follows through “(B) is nec-

1 essary” in subparagraph (B) and inserting “is nec-
2 essary”.

3 (k) MINIMIZING REGULATORY BURDEN.—Except as
4 explicitly provided, no new rule or rule making (as such
5 terms are defined in section 551 of title 5, United States
6 Code) shall be required of any agency in order to imple-
7 ment this section or any amendment made by this section.

8 (l) SAVINGS PROVISION.—Nothing in this section or
9 an amendment made by this section grants authority to
10 the Federal Energy Regulatory Commission under the
11 Federal Power Act (16 U.S.C. 791a et seq.) over sales
12 of electric energy at retail or the local distribution of elec-
13 tricity.