



## Baseload Reliability Protection Act

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The ***Baseload Reliability Protection Act*** is legislation led by Rep. Julie Fedorchak (R-ND) to prohibit the retirement of critical baseload generators in regions identified as being at elevated or high risk of electricity shortfalls. It requires reliable units to stay online until they are adequately replaced to ensure continued operation of critical power plants in high-risk transmission regions.

### **THE PROBLEM:**

The North American Electric Reliability Corporation (NERC) warns that two-thirds of the United States is at elevated or high risk of blackouts.

- Despite this, utilities continue to retire dispatchable baseload generation—coal, nuclear, and natural gas plants.
- In 2024 alone, more than 14 gigawatts of dispatchable capacity was retired nationwide.
- Major operators like American Electric Power have been forced to announce the retirement of reliable generating assets across PJM, even as the region faces growing demand from manufacturing and data centers.
- Spain's nationwide blackouts in April—caused by overreliance on intermittent wind and solar—should serve as a wake-up call to the United States. A secure grid requires power sources that are always available.

### **THE SOLUTION:**

The ***Baseload Reliability Protection Act*** would prohibit the retirement of critical baseload generators in regions identified by NERC as being at elevated or high risk of blackouts. It requires reliable units to stay online unless and until they are adequately replaced or exempted under reliability-focused criteria.

## **WHAT THE BILL DOES:**

The *Baseload Reliability Protection Act* amends the *Federal Power Act* to:

- Prohibit retirement or fuel-source conversion of dispatchable electric generating units in NERC-designated elevated or high-risk areas served by RTOs/ISOs, subject to revision upon publication of NERC's annual Long Term Reliability Assessment.
- Protect qualifying generators from penalties for noncompliance with environmental regulations, as under sec. 202(c) of the *Federal Power Act*.
- Allow exemptions if:
  - A generator's continued operation is unprofitable or poses elevated safety risks;
  - Retirement will not hinder bulk power system reliability;
  - Replacement capacity offers equal or better dispatchability and peak availability.
- Empower DOE to furnish grants and loans to keep critical power plants running and invest in upgrades that extend their operational life, the revenues from which must be used for deficit reduction.
- Directly support President Trump's Executive Order 14262 (Sec. 3) by authorizing DOE to issue grants and loans to generators subject to 202(c) orders.

**Bottomline:** The backbone of American electric reliability is dispatchable generation. Without it, grid operators are left with shrinking reserves and little margin during peak events. Federal policy should not allow utilities participating in FERC-regulated wholesale markets to decommission critical infrastructure in regions already teetering on the edge of reliability.

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For questions about the legislation, please contact [Talmage.Tyler@mail.house.gov](mailto:Talmage.Tyler@mail.house.gov).

