.....

(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To establish a best-available transmission conductor standard for certain transmission projects under the Federal Power Act and to provide for presumptions regarding cost recovery for such conductors.

IN THE HOUSE OF REPRESENTATIVES

Mrs. FEDORCHAK introduced the following bill; which was referred to the Committee on _____

A BILL

To establish a best-available transmission conductor standard for certain transmission projects under the Federal Power Act and to provide for presumptions regarding cost recovery for such conductors.

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 ''High-Capacity Grid Act''.

SEC. 2. BEST-AVAILABLE TRANSMISSION CONDUCTOR STANDARD.

Section 205 of the Federal Power Act (16 U.S.C. 824d) is amended by adding at the end the following:

''(h) BEST-AVAILABLE TRANSMISSION CONDUCTOR STANDARD.—

''(1) DEFINITIONS.—In this subsection:

''(A) BEST-AVAILABLE TRANSMISSION CONDUCTOR.—The term 'best-available transmission conductor' means a transmission conductor that, as determined by the Commission by rule under paragraph (5)—

''(i) provides the greatest feasible and commercially available energy-carrying capacity at a given voltage level;

''(ii) provides the highest feasible and commercially available electrical efficiency at that voltage level; and

''(iii) mitigates thermal sag at the maximum rated transmission-carrying capacity of the facility.

''(B) COVERED PROJECT.—The term 'covered project' means—

''(i) the construction of a new transmission facility subject to the jurisdiction

of the Commission under section 201(b); and

''(ii) any modification, upgrade, replacement, or reconductoring of an existing transmission line subject to such jurisdiction.

''(2) PRESUMPTION OF PRUDENCE FOR BEST-AVAILABLE TRANSMISSION CONDUCTORS.—In any filing seeking to recover the cost of a transmission conductor for a covered project, and in any proceeding to determine whether such cost may be recovered through rates, the Commission shall presume that the use of a best-available transmission conductor is a prudent practice and that the associated costs are just and reasonable.

''(3) PRESUMPTION AGAINST RECOVERY OF COSTS FOR NON-BEST-AVAILABLE CONDUCTORS.—In any filing seeking to recover the cost of a transmission conductor for a covered project, and in any proceeding to determine whether such cost may be recovered through rates, the Commission shall presume that the use of a transmission conductor that is not a best-available transmission conductor is not prudent and that the associated costs are not just and reasonable.

''(4) APPLICABILITY.—The requirements of this subsection apply only to public utilities and only with respect to covered projects that are subject to the jurisdiction of the Commission under section 201(b).

''(5) RULEMAKING.—Not later than 180 days after the date of enactment of this subsection, the Commission shall promulgate regulations to implement this subsection. In promulgating such regulations, the Commission shall—

''(A) establish a methodology for determining whether a transmission conductor is a best-available transmission conductor for purposes of this subsection;

''(B) ensure that such methodology is consistent with the criteria set forth in paragraph (1)(A); and

''(C) provide for periodic review and updating of the methodology to reflect improvements in technology, materials, and system performance.''.