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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.

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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”; and

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.