

117TH CONGRESS  
1ST SESSION

# H. R. 1514

To amend the Federal Power Act to increase transmission capacity for clean energy, reduce congestion, and increase grid resilience.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2021

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

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## A BILL

To amend the Federal Power Act to increase transmission capacity for clean energy, reduce congestion, and increase grid resilience.

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 “Prevent Outages With  
5 Energy Resilient Options Nationwide Act” or the  
6 “POWER ON Act”.

7 **SEC. 2. AMENDMENTS TO FEDERAL POWER ACT.**

8 (a) DESIGNATION OF NATIONAL INTEREST ELEC-  
9 TRIC TRANSMISSION CORRIDORS.—Section 216(a) of the  
10 Federal Power Act (16 U.S.C. 824p(a)) is amended—

1 (1) in paragraph (1), by inserting “capacity  
2 constraints and” before “congestion”;

3 (2) in paragraph (2)—

4 (A) by inserting “, not less often than once  
5 every 3 years,” after “Secretary shall”;

6 (B) by inserting “and Indian tribes” after  
7 “affected States”;

8 (C) by inserting “or other information  
9 about electric transmission capacity constraints  
10 or congestion” after “the study”; and

11 (D) by inserting “, or that is expected to  
12 experience such constraints or congestion,”  
13 after “consumers”;

14 (3) in paragraph (3), by inserting “, not less  
15 often than once every 3 years,” after “Secretary  
16 shall”; and

17 (4) in paragraph (4)—

18 (A) in subparagraph (C), by inserting “or  
19 energy security” after “independence”;

20 (B) in subparagraph (D), by striking the  
21 “and” at the end;

22 (C) in subparagraph (E), by striking “se-  
23 curity.” and inserting “security;”; and

24 (D) by adding at the end the following:

25 “(F) the designation would—

1           “(i) enhance the ability of facilities that  
2           generate or transmit renewable energy, low-  
3           emission energy, or emission-free energy to con-  
4           nect to the electric grid;

5           “(ii) promote electrification of other sec-  
6           tors, including the transportation sector; or

7           “(iii) facilitate other public policies to  
8           decarbonize the grid;

9           “(G) the designation—

10           “(i) maximizes existing rights-of-way, in-  
11           cluding along highways, brownfields, and rail-  
12           ways; and

13           “(ii) avoids, to the maximum extent prac-  
14           ticable, sensitive environmental areas and cul-  
15           tural heritage sites; and

16           “(H) the designation would result in a reduc-  
17           tion in the cost to purchase electric energy for con-  
18           sumers.”.

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

21           (1) in paragraph (1)—

22           (A) in subparagraph (A)(ii), by inserting  
23           “or interregional benefits” after “interstate  
24           benefits”; and

1 (B) by amending subparagraph (C) to read  
2 as follows:

3 “(C) a State commission or other entity that  
4 has authority to approve the siting of the facilities  
5 has—

6 “(i) not approved or denied an application  
7 seeking approval pursuant to applicable law by  
8 the date that is 1 year after the filing of the  
9 application or 1 year after the designation of  
10 the relevant national interest electric trans-  
11 mission corridor, whichever is later;

12 “(ii) conditioned its approval in such a  
13 manner that the proposed construction or modi-  
14 fication will not significantly reduce trans-  
15 mission congestion in interstate commerce or is  
16 not economically feasible; or

17 “(iii) denied an application seeking ap-  
18 proval pursuant to applicable law;”.

19 (c) RIGHTS-OF-WAY.—Section 216(e)(1) of the Fed-  
20 eral Power Act (16 U.S.C. 824p(e)(1)) is amended by in-  
21 serting “and the permit holder has made good faith efforts  
22 to engage landowners and other stakeholders early,” after  
23 “facilities,”.

24 (d) INTERSTATE COMPACTS.—Section 216(i) of the  
25 Federal Power Act (16 U.S.C. 824p) is amended—

1           (1) in paragraph (2), by striking “may” and in-  
2           serting “shall”; and

3           (2) in paragraph (4), by striking “the members  
4           of the compact are in disagreement and the Sec-  
5           retary makes, after notice and an opportunity for a  
6           hearing, the finding described in subsection  
7           (b)(1)(C)” and inserting “the Secretary finds that  
8           the members of the compact are in disagreement  
9           after the date that is 1 year after the filing of an  
10          application for the facility or 1 year after the des-  
11          ignation of the relevant national interest electric  
12          transmission corridor, whichever is later”.

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