

119TH CONGRESS
1ST SESSION

H. R. 3157

To amend the Public Utility Regulatory Policies Act of 1978 to add a standard related to the evaluation of State intermittent energy policies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2025

Mr. LANGWORTHY (for himself and Mr. EVANS of Colorado) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Utility Regulatory Policies Act of 1978 to add a standard related to the evaluation of State intermittent energy policies, and for other purposes.

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 “State Energy Account-
5 ability Act”.

1 **SEC. 2. CONSIDERATION OF EFFECTS OF STATE POLICIES**
2 **ON RELIABLE AVAILABILITY OF ELECTRIC**
3 **ENERGY.**

4 Section 111(d) of the Public Utility Regulatory Poli-
5 cies Act of 1978 (16 U.S.C. 2621(d)) is amended by add-
6 ing at the end the following:

7 “(22) EVALUATION OF EFFECTS OF STATE
8 POLICIES ON RELIABLE AVAILABILITY OF ELECTRIC
9 ENERGY.—

10 “(A) IN GENERAL.—Each State regulatory
11 authority that implements an intermittent en-
12 ergy policy shall conduct, and make publicly
13 available, a general evaluation of—

14 “(i) the effects of implementing the
15 intermittent energy policy on the reliability
16 of the bulk-power system in the State, in-
17 cluding an assessment of the adequacy of
18 available electric energy resources over a
19 10-year period;

20 “(ii) the ability of electric energy re-
21 sources that comply with the requirements
22 of the intermittent energy policy to meet
23 electric energy demand during emer-
24 gencies, periods of high demand, or ex-
25 treme weather events;

1 “(iii) the effects of implementing the
2 intermittent energy policy on rates charged
3 by electric utilities;

4 “(iv) whether reliable generation fa-
5 cilities that are removed from service in
6 order to comply with the requirements of
7 the intermittent energy policy can be re-
8 placed with sufficient electric generation
9 facilities meeting such requirements, which
10 have a capacity accreditation that is equiv-
11 alent to the capacity accreditation of the
12 removed facilities, to maintain the reli-
13 ability of the bulk-power system in the
14 State; and

15 “(v) the extent to which implementa-
16 tion of the intermittent energy policy re-
17 quires electric utilities in the State to use
18 replacement electric energy supplies that
19 are generated by reliable generation facili-
20 ties located outside the State in order to
21 maintain the reliability of the bulk-power
22 system in the State.

23 “(B) PRIOR STATE ACTIONS.—Notwith-
24 standing section 124 and paragraphs (1) and
25 (2) of section 112(a), each State regulatory au-

1 thority shall consider and make a determination
2 concerning the standard set out in subpara-
3 graph (A) in accordance with the requirements
4 of subsections (a) and (b) of this section, with-
5 out regard to any proceedings commenced prior
6 to the enactment of this paragraph.

7 “(C) TIME LIMITATION.—Notwithstanding
8 subsections (b) and (c) of section 112, each
9 State regulatory authority shall consider and
10 make a determination concerning whether it is
11 appropriate to implement the standard set out
12 in subparagraph (A) not later than 1 year after
13 the date of enactment of this paragraph.

14 “(D) PUBLIC AVAILABILITY.—A State reg-
15 ulatory authority that has made a determina-
16 tion concerning whether to implement, and is
17 implementing, the standard set out in subpara-
18 graph (A) shall make publicly available the gen-
19 eral evaluation described in such subpara-
20 graph—

21 “(i) if the applicable State has adopt-
22 ed an intermittent energy policy before the
23 date on which the State regulatory author-
24 ity makes such determination, not later

1 than 1 year after such date of determina-
2 tion; and

3 “(ii) if the applicable State adopts an
4 intermittent energy policy after the date on
5 which the State regulatory authority makes
6 such determination, not later than 1 year
7 after the date of such adoption.

8 “(E) DEFINITIONS.—In this paragraph:

9 “(i) BULK-POWER SYSTEM.—The
10 term ‘bulk-power system’ has the meaning
11 given that term in section 215 of the Fed-
12 eral Power Act (16 U.S.C. 824o).

13 “(ii) INTERMITTENT ENERGY POL-
14 ICY.—The term ‘intermittent energy policy’
15 means any requirement of a State, en-
16 forced by a State regulatory authority,
17 that a State regulated electric utility en-
18 sure that a specified portion of the electric
19 energy sold by such electric utility is gen-
20 erated by facilities that are not reliable
21 generation facilities.

22 “(iii) RELIABLE GENERATION FACIL-
23 ITY.—The term ‘reliable generation facil-
24 ity’ means an electric generation facility

1 that ensures the reliable availability of
2 electric energy by—

3 “(I) having operational charac-
4 teristics to enable the generation of
5 electric energy on a continuous basis
6 for a period of not fewer than 30
7 days;

8 “(II) having—

9 “(aa) adequate fuel, or a
10 continuously available energy
11 source, on-site to enable the gen-
12 eration of electric energy on a
13 continuous basis for a period of
14 not fewer than 30 days; or

15 “(bb) contractual obligations
16 that ensure adequate fuel supply
17 to achieve the generation of elec-
18 tric energy on a continuous basis
19 for a period of not fewer than 30
20 days;

21 “(III) having operational charac-
22 teristics to enable the generation of
23 electric energy during emergency and
24 severe weather conditions; and

1 “(IV) providing essential services
2 related to the reliable availability of
3 electric energy, including frequency
4 support and voltage support.”.

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