

119TH CONGRESS
2D SESSION

H. R. 10139

To require public disclosure of electricity and water use, infrastructure costs, rate impacts, public financial assistance, and related commitments associated with large data centers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 24, 2026

Mr. CUELLAR introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require public disclosure of electricity and water use, infrastructure costs, rate impacts, public financial assistance, and related commitments associated with large data centers, 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 “Ratepayer Bill of
5 Rights Act of 2026”.

6 **SEC. 2. RATEPAYER BILL OF RIGHTS.**

7 (a) FINDINGS.—

1 (1) Data centers are driving rapidly growing
2 demand for electricity and water, often with costs
3 and impacts that are not disclosed to the families,
4 farmers, ranchers, small businesses, and commu-
5 nities that bear them. This Act requires data centers
6 to disclose their resource use, protects reliable and
7 affordable electric and water service, and ensures
8 that data centers pay their own costs.

9 (2) This Act applies to a data center, or related
10 group of data centers under common ownership or
11 control, with a peak electricity demand of at least 50
12 megawatts or a water withdrawal of at least 100,000
13 gallons per day, including expansions that reach
14 those levels.

15 (b) RIGHTS.—

16 (1) RIGHT ONE: TO KNOW A DATA CENTER'S
17 DEMANDS.—Every ratepayer has the right to know
18 a covered data center's projected and actual elec-
19 tricity and water use, sources, and wastewater dis-
20 charge, disclosed before operations begin, reported
21 every six months for electricity and every three
22 months for water, with prompt notice of any mate-
23 rial change.

24 (2) RIGHT TWO: TO KNOW THE AGREEMENTS,
25 INFRASTRUCTURE COSTS, RATE EFFECTS, AND PUB-

1 LIC SUPPORT.—Every ratepayer has the right to
2 know what infrastructure will be built to serve a cov-
3 ered data center, its cost, who is paying for it, its
4 effect on bills for households, farms, and small busi-
5 nesses, and what public assistance, permits, and
6 agreements the company received, published in plain
7 language before final approval.

8 (3) RIGHT THREE: NOT TO PAY A DATA CEN-
9 TER’S COSTS.—Protected ratepayers – including but
10 not limited to households, farmers, ranchers, small
11 businesses, schools, and hospitals – have the right
12 not to subsidize a covered data center. The company
13 must pay all project-driven costs, sign a binding
14 cost-recovery agreement, and post adequate financial
15 security before construction begins. No project-driv-
16 en cost may be shifted to ratepayers through rates,
17 riders, or surcharges, and any improper charge must
18 be refunded with interest within 90 days.

19 (4) RIGHT FOUR: TO RELIABLE AND AFFORD-
20 ABLE COMMUNITY WATER.—Before a covered data
21 center receives a final water-service commitment, an
22 independent assessment must confirm that sufficient
23 water will remain for households, agriculture, and
24 existing businesses, including during a drought. The
25 company pays all project-driven water costs, and a

1 data center may not receive priority over households,
2 hospitals, or schools during a water emergency.

3 (5) RIGHT FIVE: TO PROTECTION OF RURAL
4 WATER, AQUIFERS, AND AGRICULTURE.—Private
5 wells, rural water systems, farmers, and ranchers
6 have the right to monitoring, notice, and fair com-
7 pensation if a covered data center harms their water
8 supply. A data center may not draw from an al-
9 ready-overdrawn aquifer without an independent as-
10 sessment showing no further harm, and must fund
11 enforceable conservation measures tied to its water
12 use.

13 (6) RIGHT SIX: TO RELIABLE ELECTRICITY AND
14 DISCLOSURE OF ON-SITE POWER AND EMISSIONS.—
15 Before a covered data center receives a final electric-
16 service commitment, an independent assessment
17 must confirm it can be served without materially re-
18 ducing reliability for existing customers. Commu-
19 nities have the right to know the capacity, fuel
20 source, and emissions of any on-site power genera-
21 tion, which may not be used to dodge cost, reli-
22 ability, or emissions requirements.

23 (7) RIGHT SEVEN: TO ADVANCE NOTICE, LOCAL
24 INFORMATION, AND A PUBLIC VOICE.—Affected resi-
25 dents and ratepayers have the right to at least 60

1 days' notice and a local public meeting before a final
2 decision, with cost, water, and reliability studies
3 available at least 30 days in advance, in plain lan-
4 guage and in English and Spanish where required.
5 Public officials and their families involved in these
6 decisions must disclose relevant financial interests in
7 the project.

8 (8) RIGHT EIGHT: TO PUBLIC INFORMATION
9 THAT CANNOT BE HIDDEN BY CONTRACT.—No con-
10 tract or confidentiality claim may block disclosure of
11 information this Act requires to be public. Aggregate
12 electricity and water use, costs, public assistance,
13 and emissions may not be withheld as trade secrets,
14 and must be posted to a searchable public database
15 within 30 days.

16 (9) RIGHT NINE: TO PROTECTION AGAINST
17 LOOPHOLES AND EVASION.—A company may not
18 use separate entities, meters, tenants, parcels, or
19 project phases to evade this Act. Related or affili-
20 ated projects that share infrastructure or are devel-
21 oped together are treated as one project for cov-
22 erage, and a material expansion of an existing data
23 center reopens its cost, water, and reliability review.

24 (10) RIGHT TEN: TO ENFORCEMENT, REFUNDS,
25 AND ACCOUNTABILITY.—Ratepayers have the right

1 to a simple complaint process, and Federal and
2 State regulators may audit compliance, order re-
3 funds, and assess civil penalties for violations. Em-
4 ployees who report violations are protected from re-
5 taliation, and Federal agencies must publish an an-
6 nual public accounting of complaints, penalties, and
7 refunds.

8 (c) ADMINISTRATION.—The Federal Energy Regu-
9 latory Commission, the Department of Energy, the Envi-
10 ronmental Protection Agency, and the Department of
11 Labor shall each issue rules and enforce this Act within
12 their existing jurisdictions over transmission and reli-
13 ability, energy data, environmental and water-quality re-
14 quirements, and worker retaliation protections, respec-
15 tively. State, Tribal, and local authorities retain their ex-
16 isting jurisdiction over utility rates, water rights, land use,
17 and permitting, and nothing in this Act stops them from
18 adopting stronger protections.

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