

119TH CONGRESS
2D SESSION

H. R. 10302

To amend the Federal Power Act with respect to the coordination of Federal authorizations for transmission facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 4, 2026

Mr. PETERS (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 Federal Power Act with respect to the coordination of Federal authorizations for transmission facilities, 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 “Certainty in Litigation
5 for Electric Asset Reliability (CLEAR) Act of 2026”.

6 **SEC. 2. COORDINATION OF FEDERAL AUTHORIZATIONS**
7 **FOR TRANSMISSION FACILITIES.**

8 Section 216(h) of the Federal Power Act (16 U.S.C.
9 824p(h)) is amended—

1 (1) in paragraph (1), by striking “to site a
2 transmission facility” each place it appears and in-
3 serting “to site and construct a transmission facil-
4 ity”;

5 (2) in paragraph (2), by inserting “, except that
6 the Commission shall act as the lead agency in the
7 case of a facility to be permitted under subsection
8 (b)” before the period at the end; and

9 (3) by adding at the end the following:

10 “(10) PUBLICATION.—The head of each Fed-
11 eral agency with authority to issue a Federal author-
12 ization shall publish in the Federal Register each
13 final agency action relating to a Federal authoriza-
14 tion.

15 “(11) CONSOLIDATED RECORD.—To the extent
16 practicable for each transmission facility for which a
17 Federal authorization is required, the Secretary shall
18 consolidate all records relating to review and permit
19 decisions for all Federal authorizations for the
20 transmission facility into a single joint record of de-
21 cision.

22 “(12) REHEARING AND JUDICIAL REVIEW.—
23 With respect to any transmission facility the Federal
24 authorization and review process for which is coordi-
25 nated under this subsection—

1 “(A) each approval of a Federal authoriza-
2 tion for the transmission facility shall be
3 deemed to be an order issued by the Commis-
4 sion for purposes of section 313;

5 “(B) such section shall be applied by sub-
6 stituting ‘the lead agency under section 216(h)’
7 for ‘the Commission’ each place it appears; and

8 “(C) notwithstanding any other provision
9 of law providing for rehearing or judicial review
10 of an approval of a Federal authorization, a
11 person may obtain rehearing and judicial review
12 of such an approval only under such section
13 313.”.

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