

Union Calendar No. 255

119TH CONGRESS
1ST SESSION

H. R. 3157

[Report No. 119–301]

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

SEPTEMBER 17, 2025

Additional sponsor: Mr. BALDERSON

SEPTEMBER 17, 2025

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

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”.

6 **SEC. 2. CONSIDERATION OF EFFECTS OF STATE POLICIES**
7 **ON RELIABLE AVAILABILITY OF ELECTRIC**
8 **ENERGY.**

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

12 “(22) EVALUATION OF EFFECTS OF STATE
13 POLICIES ON RELIABLE AVAILABILITY OF ELECTRIC
14 ENERGY.—

15 “(A) IN GENERAL.—Each State regulatory
16 authority that implements an intermittent en-
17 ergy policy shall conduct, and make publicly
18 available, a general evaluation of—

19 “(i) the effects of implementing the
20 intermittent energy policy on the reliability
21 of the bulk-power system in the State, in-
22 cluding an assessment of the adequacy of
23 available electric energy resources over a
24 10-year period;

1 “(ii) the ability of electric energy re-
2 sources that comply with the requirements
3 of the intermittent energy policy to meet
4 electric energy demand during emer-
5 gencies, periods of high demand, or ex-
6 treme weather events;

7 “(iii) the effects of implementing the
8 intermittent energy policy on rates charged
9 by electric utilities;

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

21 “(v) the extent to which implementa-
22 tion of the intermittent energy policy re-
23 quires electric utilities in the State to use
24 replacement electric energy supplies that
25 are generated by reliable generation facili-

1 ties located outside the State in order to
2 maintain the reliability of the bulk-power
3 system in the State.

4 “(B) PRIOR STATE ACTIONS.—Notwith-
5 standing section 124 and paragraphs (1) and
6 (2) of section 112(a), each State regulatory au-
7 thority shall consider and make a determination
8 concerning the standard set out in subpara-
9 graph (A) in accordance with the requirements
10 of subsections (a) and (b) of this section, with-
11 out regard to any proceedings commenced prior
12 to the enactment of this paragraph.

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

20 “(D) PUBLIC AVAILABILITY.—A State reg-
21 ulatory authority that has made a determina-
22 tion concerning whether to implement, and is
23 implementing, the standard set out in subpara-
24 graph (A) shall make publicly available the gen-

1 eral evaluation described in such subpara-
2 graph—

3 “(i) if the applicable State has adopt-
4 ed an intermittent energy policy before the
5 date on which the State regulatory author-
6 ity makes such determination, not later
7 than 1 year after such date of determina-
8 tion; and

9 “(ii) if the applicable State adopts an
10 intermittent energy policy after the date on
11 which the State regulatory authority makes
12 such determination, not later than 1 year
13 after the date of such adoption.

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

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

19 “(ii) INTERMITTENT ENERGY POL-
20 ICY.—The term ‘intermittent energy policy’
21 means any requirement of a State, en-
22 forced by a State regulatory authority,
23 that a State regulated electric utility en-
24 sure that a specified portion of the electric
25 energy sold by such electric utility is gen-

erated by facilities that are not reliable generation facilities.

“(iii) RELIABLE GENERATION FACILITY.—The term ‘reliable generation facility’ means an electric generation facility that ensures the reliable availability of electric energy by—

“(I) having operational characteristics to enable the generation of electric energy on a continuous basis for a period of not fewer than 30 days;

“(II) having—

“(aa) adequate fuel, or a continuously available energy source, on-site to enable the generation of electric energy on a continuous basis for a period of not fewer than 30 days; or

“(bb) contractual obligations that ensure adequate fuel supply to achieve the generation of electric energy on a continuous basis for a period of not fewer than 30 days;

1 “(III) having operational charac-
2 teristics to enable the generation of
3 electric energy during emergency and
4 severe weather conditions; and

5 “(IV) providing essential services
6 related to the reliable availability of
7 electric energy, including frequency
8 support and voltage support.”.

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