

119TH CONGRESS
1ST SESSION

H. R. 3628

AN ACT

To amend the Public Utility Regulatory Policies Act of 1978
to add a standard related to State consideration of reliable generation, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “State Planning for Re-
3 liability and Affordability Act”.

4 **SEC. 2. STATE CONSIDERATION OF RELIABLE GENERA-**
5 **TION.**

6 (a) IN GENERAL.—Section 111(d) of the Public Util-
7 ity Regulatory Policies Act of 1978 (16 U.S.C. 2621(d))
8 is amended by adding at the end the following:

9 “(22) ENSURING ELECTRIC RELIABILITY WITH
10 RELIABLE GENERATION FACILITIES.—

11 “(A) IN GENERAL.—Each State regulated
12 electric utility that employs integrated resource
13 planning shall establish, as part of such inte-
14 grated resource planning, measures, sufficient
15 to ensure the reliable availability of electric en-
16 ergy over a 10-year period, to maintain—

17 “(i) the operation of reliable genera-
18 tion facilities; or

19 “(ii) the procurement of electric en-
20 ergy from reliable generation facilities.

21 “(B) RELIABLE GENERATION FACILITY
22 DEFINED.—In this paragraph, the term ‘reli-
23 able generation facility’ means an electric gen-
24 eration facility that ensures the reliable avail-
25 ability of electric energy by—

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

5 “(ii) having—

6 “(I) adequate fuel, or a continu-
7 ously available energy source, on-site
8 to enable the generation of electric en-
9 ergy on a continuous basis for a pe-
10 riod of not fewer than 30 days; or

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

16 “(iii) having operational characteris-
17 ties to enable the generation of electric en-
18 ergy during emergency and severe weather
19 conditions; and

20 “(iv) providing essential services re-
21 lated to the reliable availability of electric
22 energy, including frequency support and
23 voltage support.”.

24 (b) CONFORMING AMENDMENTS.—

1 (1) OBLIGATIONS TO CONSIDER AND DETER-
2 MINE.—Section 112 of the Public Utility Regulatory
3 Policies Act of 1978 (16 U.S.C. 2622) is amended—

4 (A) in subsection (b), by adding at the end
5 the following:

6 “(9)(A) Not later than 1 year after the date of
7 enactment of this paragraph, each State regulatory
8 authority (with respect to each State regulated elec-
9 tric utility for which the State has ratemaking au-
10 thority) shall commence consideration under section
11 111, or set a hearing date for consideration, with re-
12 spect to the standard established by paragraph (22)
13 of section 111(d).

14 “(B) Not later than 2 years after the date of
15 enactment of this paragraph, each State regulatory
16 authority (with respect to each State regulated elec-
17 tric utility for which the State has ratemaking au-
18 thority) shall complete the consideration and make
19 the determination under section 111 with respect to
20 the standard established by paragraph (22) of sec-
21 tion 111(d).”;

22 (B) in subsection (c)—

23 (i) by striking “subsection (b)(2)” and
24 inserting “subsection (b)”; and

1 (ii) by inserting “In the case of the
2 standard established by paragraph (22) of
3 section 111(d), the reference contained in
4 this subsection to the date of enactment of
5 this Act shall be deemed to be a reference
6 to the date of enactment of that paragraph
7 (22).” after “paragraph (21).”; and

8 (C) by adding at the end the following:

9 “(i) OTHER PRIOR STATE ACTIONS.—Subsections
10 (b) and (c) shall not apply to the standard established by
11 paragraph (22) of section 111(d) in the case of any State
12 regulated electric utility in a State if, before the date of
13 enactment of this subsection—

14 “(1) the State has implemented for the State
15 regulated electric utility the standard (or a com-
16 parable standard);

17 “(2) the State regulatory authority for the
18 State has conducted a proceeding to consider imple-
19 mentation of the standard (or a comparable stand-
20 ard) for the State regulated electric utility; or

21 “(3) the State legislature has voted on the im-
22 plementation of the standard (or a comparable
23 standard) for the State regulated electric utility dur-
24 ing the 3-year period ending on that date of enact-
25 ment.”.

1 (2) PRIOR AND PENDING PROCEEDINGS.—Sec-
2 tion 124 of the Public Utility Regulatory Policies
3 Act of 1978 (16 U.S.C. 2634) is amended by insert-
4 ing “In the case of the standard established by para-
5 graph (22) of section 111(d), the reference con-
6 tained in this section to the date of enactment of
7 this Act shall be deemed to be a reference to the
8 date of enactment of that paragraph (22).” after
9 “paragraph (21).”.

10 **SEC. 3. GAO REPORT ON EFFECTIVENESS OF INTEGRATED**
11 **RESOURCE PLANNING IN ENSURING SUFFI-**
12 **CIENT RELIABLE GENERATION FACILITIES.**

13 (a) REPORT.—Not later than 1 year after the date
14 of enactment of this Act, the Comptroller General of the
15 United States shall submit to Congress a report on the
16 effectiveness of integrated resource planning employed by
17 State regulated electric utilities prior to the implementa-
18 tion of section 111(d)(22) of the Public Utility Regulatory
19 Policies Act of 1978 (16 U.S.C. 2621(d)(22)), as added
20 by section 2 of this Act, in ensuring sufficient reliable gen-
21 eration facilities to maintain the reliability, stability, and
22 affordability of electric service for electric consumers.

23 (b) DEFINITIONS.—In this section:

24 (1) ELECTRIC CONSUMER; INTEGRATED RE-
25 SOURCE PLANNING; STATE REGULATED ELECTRIC

1 UTILITY.—The terms “electric consumer”, “inte-
2 grated resource planning”, and “State regulated
3 electric utility” have the meanings given such terms,
4 respectively, in section 3 of the Public Utility Regu-
5 latory Policies Act of 1978 (16 U.S.C. 2602).

6 (2) RELIABLE GENERATION FACILITY.—The
7 term “reliable generation facility” has the meaning
8 given such term in section 111(d)(22) of the Public
9 Utility Regulatory Policies Act of 1978 (16 U.S.C.
10 2621(d)(22)), as added by section 2 of this Act.

Passed the House of Representatives December 11,
2025.

Attest:

Clerk.

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