

Union Calendar No. 261

119TH CONGRESS
1ST SESSION

H. R. 3632

[Report No. 119-307]

To amend the Federal Power Act to adjust the requirements for orders, rules, and regulations relating to furnishing adequate service, to require owners or operators of generating facilities to provide notice of planned retirements of certain electric generating units, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 29, 2025

Mr. GRIFFITH introduced the following bill; which was referred to the
Committee on Energy and Commerce

SEPTEMBER 23, 2025

Additional sponsors: Mr. CARTER of Georgia, Mr. OBERNOLTE, Mr. ONDER,
and Mrs. MILLER of West Virginia

SEPTEMBER 23, 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 Federal Power Act to adjust the requirements for orders, rules, and regulations relating to furnishing adequate service, to require owners or operators of generating facilities to provide notice of planned retirements of certain electric generating units, 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 “Power Plant Reliability
5 Act of 2025”.

6 **SEC. 2. FURNISHING OF ADEQUATE SERVICE; ADVANCE NO-**
7 **TICE OF PLANNED RETIREMENTS.**

8 Section 207 of the Federal Power Act (16 U.S.C.
9 824f) is amended to read as follows:

10 **“SEC. 207. FURNISHING OF ADEQUATE SERVICE; ADVANCE**
11 **NOTICE OF PLANNED RETIREMENTS.**

12 “(a) FURNISHING OF ADEQUATE SERVICE.—

13 “(1) IN GENERAL.—Whenever the Commission,
14 upon complaint of a State commission or a Trans-
15 mission Organization, after notice to each State
16 commission and public utility affected, and after op-
17 portunity for hearing within 90 days of receipt of
18 such complaint, finds that any interstate service of
19 any public utility is inadequate or insufficient, or is
20 likely to become inadequate or insufficient within 5
21 years of receiving such complaint, the Commission
22 shall determine the proper, adequate, or sufficient
23 service to be furnished, and shall fix the same by
24 issuing an order, rule, or regulation.

1 “(2) REQUIREMENTS.—The Commission, in an
2 order, rule, or regulation issued under paragraph
3 (1)—

4 “(A) may not—

5 “(i) compel the enlargement of gener-
6 ating facilities; or

7 “(ii) compel the public utility to sell
8 or exchange electric energy when to do so
9 would impair its ability to render proper,
10 adequate, or sufficient service to its cus-
11 tomers;

12 “(B) may require—

13 “(i) continuing the operation of an
14 electric generating unit; and

15 “(ii) any affected State commission,
16 Transmission Organization, or public util-
17 ity to develop and implement a long-term
18 plan for the planning, construction, and
19 operation of interstate transmission facili-
20 ties that may be necessary for the public
21 utility to provide adequate and sufficient
22 interstate service; and

23 “(C) shall determine—

24 “(i) any rate or charge necessary to
25 provide compensation for the additional

1 costs of the proper, adequate, or sufficient
2 service to be furnished, including com-
3 pensation to an owner or operator of an
4 electric generating unit that is required to
5 continue to operate under such order, rule,
6 or regulation; and

7 “(ii) the cost allocation of any rate or
8 charge.

9 “(3) TERM LENGTH.—Except as provided in
10 paragraph (4), an order, rule, or regulation issued
11 under paragraph (1) shall terminate on the date
12 that the Commission determines appropriate, which
13 may not be later than 5 years after the date on
14 which the Commission issues such order, rule, or
15 regulation.

16 “(4) EXTENSION.—

17 “(A) REQUEST FOR EXTENSION.—Not ear-
18 lier than the date that is 180 days prior to the
19 date on which an order, rule, or regulation ter-
20 minates, as determined under paragraph (3),
21 and not later than 60 days prior to such termi-
22 nation date, any affected State commission,
23 Transmission Organization, or public utility
24 may submit to the Commission a request to ex-
25 tend such order, rule, or regulation.

1 “(B) DEADLINE.—With respect to a re-
2 quest submitted under subparagraph (A), the
3 Commission shall—

4 “(i) not later than 14 days after the
5 date on which the Commission receives the
6 request, notify each affected State commis-
7 sion, Transmission Organization, and pub-
8 lic utility of the request;

9 “(ii) provide an opportunity for a
10 hearing on the request before accepting or
11 denying the request under clause (iii); and

12 “(iii) not later than 60 days after the
13 date on which the Commission receives the
14 request—

15 “(I) accept the request and ex-
16 tend the applicable order, rule, or reg-
17 ulation; or

18 “(II) deny the request.

19 “(C) TERM LENGTH.—An order, rule, or
20 regulation extended under subparagraph (B)
21 shall terminate on the date that the Commis-
22 sion determines appropriate, which may not be
23 later than 5 years after the date on which the
24 Commission extended such order, rule, or regu-
25 lation.

1 “(5) TREATMENT OF CERTAIN ACTIONS.—To
2 the extent an omission or action taken by a party,
3 that is necessary to comply with an order, rule, or
4 regulation issued or extended under this subsection,
5 including any omission or action taken to voluntarily
6 comply with such order, rule, or regulation, results
7 in noncompliance with, or causes such party to not
8 comply with, any Federal, State, or local environ-
9 mental law or regulation, such omission or action
10 shall not be considered a violation of such environ-
11 mental law or regulation, or subject such party to
12 any requirement, civil or criminal liability, or a cit-
13 izen suit under such environmental law or regula-
14 tion.

15 “(b) ADVANCE NOTICE OF PLANNED RETIRE-
16 MENTS.—

17 “(1) IN GENERAL.—If an owner or operator of
18 a generating facility plans to retire an electric gener-
19 ating unit that is a component of such facility, such
20 owner or operator shall submit to the Commission
21 and any affected State commission or Transmission
22 Organization a notice of such plan at least 5 years
23 before the date on which such owner or operator
24 plans to retire such electric generating unit.

1 “(2) UNPLANNED RETIREMENTS.—An owner or
2 operator of a generating facility that retires an elec-
3 tric generating unit due to an unplanned catas-
4 trophe, emergency, disaster, or similar event that
5 renders such electric generating unit inoperable is
6 not subject to the notice requirement described in
7 paragraph (1).

8 “(3) PUBLICLY AVAILABLE.—The Commission
9 shall make publicly available each notice submitted
10 under paragraph (1).

11 “(c) DEFINITIONS.—In this section:

12 “(1) BULK-POWER SYSTEM.—The term ‘bulk-
13 power system’ has the meaning given such term in
14 section 215(a).

15 “(2) ELECTRIC GENERATING UNIT.—The term
16 ‘electric generating unit’ means an electric energy
17 producing unit that—

18 “(A) is a component of a generating facil-
19 ity;

20 “(B) has a power production capacity of
21 not less than 5 megawatts; and

22 “(C) is interconnected to the bulk-power
23 system.

1 “(3) RETIRE.—The term ‘retire’, with respect
2 to an electric generating unit, means to, for an in-
3 definite period of time—

4 “(A) idle the electric generating unit;

5 “(B) disconnect the electric generating
6 unit from the bulk-power system; or

7 “(C) otherwise make unavailable for sale
8 all electric energy that is generated by the elec-
9 tric generating unit.”.

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