

Union Calendar No. 713

119TH CONGRESS
2D SESSION

H. R. 9340

[Report No. 119–814]

To amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal standard relating to the recovery of the full, incremental costs of upgrades that serve large-load customers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2026

Mr. EVANS of Colorado (for himself and Ms. CASTOR of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 10, 2026

Additional sponsors: Mr. VAN DREW, Mr. JOYCE of Pennsylvania, Mr. MCCAUL, Mr. BAUMGARTNER, Mr. FULLER, Mr. WITTMAN, Mr. ONDER, Ms. HAGEMAN, Mr. KEAN, Mr. VAN ORDEN, Mr. MCGUIRE, Mr. GRIF-FITH, Mr. MACKENZIE, Mr. BISHOP, Ms. MCCLELLAN, Mr. GOTTHEIMER, Ms. LEE of Florida, Mr. CUELLAR, Mr. CLINE, Mr. FITZPATRICK, Ms. McDONALD RIVET, Ms. BOEBERT, Mr. LAWLER, Ms. VAN DUYNE, Mr. FINSTAD, Mr. CRANK, Mr. MOORE of West Virginia, Mr. CARTER of Georgia, Mr. JORDAN, Mrs. KIGGANS of Virginia, Mr. MOOLENAAR, Mr. WEBER of Texas, Mr. SMITH of New Jersey, Ms. GOODLANDER, Mr. HUIZENGA, Mr. HURD of Colorado, Mr. VALADAO, Mr. BARRETT, Ms. DE LA CRUZ, Mr. FALLON, and Mr. FLOOD

SEPTEMBER 10, 2026

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 18, 2026]

A BILL

To amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal standard relating to the recovery of the full, incremental costs of upgrades that serve large-load customers, 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 Protection*
 5 *Act”.*

6 **SEC. 2. FEDERAL STANDARD RELATING TO LARGE-LOAD**
 7 **CUSTOMERS.**

8 *(a) FEDERAL STANDARD RELATING TO LARGE-LOAD*
 9 *CUSTOMERS.—Section 111(d) of the Public Utility Regu-*
 10 *latory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended*
 11 *by adding at the end the following:*

12 “(22) STANDARDS FOR LARGE-LOAD CUS-

13 TOMERS.—

14 “(A) RECOVERY OF FULL, INCREMENTAL

15 COST OF UPGRADES.—A rate charged, or entered

16 into, by an electric utility for providing electric

17 service to a large-load customer shall be designed

18 to recover from the large-load customer the full,

19 incremental cost of any generation, transmission,

20 or distribution upgrade necessary to serve the

21 load of such large-load customer, including in

22 the event of such large-load customer terminating

23 a contract or other agreement with the electric

24 utility pertaining to the sale of electric energy,

1 *or otherwise ceasing the purchase of electric en-*
2 *ergy from the electric utility.*

3 “(B) *FINANCIAL ASSURANCES AND CON-*
4 *TRIBUTIONS.—Before making any generation,*
5 *transmission, or distribution upgrade that is*
6 *necessary to serve the load of a large-load cus-*
7 *tomers, an electric utility shall require the large-*
8 *load customer provide to the electric utility fi-*
9 *nancial assurances or contributions to cover the*
10 *cost of such upgrade.*

11 “(C) *LARGE-LOAD CUSTOMER DEFINED.—In*
12 *this paragraph, the term ‘large-load customer’*
13 *means a non-residential electric consumer that,*
14 *on or after the date of the enactment of this*
15 *paragraph, requests to enter into, or enters into,*
16 *a contract or other agreement pertaining to the*
17 *sale of electric energy for one or more facilities*
18 *that—*

19 “(i) *require electric energy primarily*
20 *to operate information technology infra-*
21 *structure and related systems pertaining to*
22 *data storage and computational applica-*
23 *tions and services; and*

1 “(ii) have, in the aggregate, a peak
2 electric demand of 100 megawatts or more
3 at a single site or campus.”.

4 (b) CONFORMING AMENDMENTS.—

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

8 (A) in subsection (b), by adding at the end
9 the following:

10 “(9)(A) Not later than 1 year after the date of
11 enactment of this paragraph, each State regulatory
12 authority (with respect to each electric utility for
13 which the State has ratemaking authority) and each
14 nonregulated electric utility shall commence consider-
15 ation under section 111, or set a hearing date for con-
16 sideration, with respect to the standard established by
17 paragraph (22) of section 111(d).

18 “(B) Not later than 2 years after the date of en-
19 actment of this paragraph, each State regulatory au-
20 thority (with respect to each electric utility for which
21 the State has ratemaking authority) and each non-
22 regulated electric utility shall complete the consider-
23 ation and make the determination under section 111
24 with respect to the standard established by paragraph
25 (22) of section 111(d).”;

1 (B) in subsection (c)—

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

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

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

12 “(i) *OTHER PRIOR STATE ACTIONS.*—Subsections (b)
13 and (c) shall not apply to the standard established by para-
14 graph (22) of section 111(d) in the case of any electric util-
15 ity in a State if, before the date of enactment of this sub-
16 section—

17 “(1) the State has implemented for the electric
18 utility the standard (or a comparable standard);

19 “(2) the State regulatory authority for the State
20 or the relevant nonregulated electric utility has con-
21 ducted a proceeding to consider implementation of the
22 standard (or a comparable standard) for the electric
23 utility; or

1 “(3) the State legislature has voted on the imple-
2 mentation of the standard (or a comparable stand-
3 ard) for the electric utility.”.

4 (2) *PRIOR AND PENDING PROCEEDINGS.*—Section
5 124 of the *Public Utility Regulatory Policies Act of*
6 1978 (16 U.S.C. 2634) is amended by adding at the
7 end the following: “In the case of the standard estab-
8 lished by paragraph (22) of section 111(d), the ref-
9 erence contained in this section to the date of enact-
10 ment of this Act shall be deemed to be a reference to
11 the date of enactment of that paragraph (22).”.

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