

and expand the temporary minimum credit rate for the low-income housing tax credit program.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN:

S. 1232. A bill to amend the Energy Independence and Security Act of 2007 to modify provisions relating to smart grid modernization, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I am proud to introduce the Smart Grid Act of 2015.

America's trillion-dollar electricity grid is ill-equipped to meet the needs of the future. Grid outages and interruptions are estimated to cost taxpayers \$150 billion annually, according to the U.S. Department of Energy DOE. At the same time, electricity demand is expected to grow 24 percent by 2040 and electricity costs for American consumers are expected to increase 18 percent over that same period.

Yet the news is not all grim, the U.S. Department of Energy estimates that \$46 billion to \$117 billion could be saved in the avoided construction costs of power plants and transmission lines over 20 years, if the United States transitions to "smart grid" technologies.

This bill promotes a more efficient and flexible electricity grid—an electricity grid that supports low-cost renewable energy, electric vehicles and energy storage, and helps consumers save money while reducing greenhouse gas emissions. The bill extends cost-share grant programs created in the Energy Independence and Savings Act of 2007, EISA2007, and sets DOE on a path to help create technology communication standards that will pave the way for innovation in new household appliances and save consumer dollars.

Specifically, the bill will establish two DOE competitive grant programs to promote the modernization of the electricity grid. Among critical areas identified by the electricity industry, the new authorizations will promote grid efficiency and real time rate adjustments, in addition to driving innovations and deployment of new energy technologies. The grant programs would require an equal matching investment from the grant recipient to ensure that beneficiaries are also held accountable. The grant recipients will be required to exchange information and ideas to further the development of a modernized electric grid. The bill will also direct DOE to begin developing standards for data sharing and communication between electricity users and providers on the grid, to improve grid efficiency and reliability.

I encourage my colleagues to review and ultimately support this legislation. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1232

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Smart Grid Act of 2015".

SEC. 2. SMART GRID INTEROPERABILITY WORKING GROUP.

Section 1303 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17383) is amended—

(1) by striking the section designation and heading and inserting the following:

"SEC. 1303. SMART GRID ADVISORY COMMITTEE; SMART GRID TASK FORCE; SMART GRID INTEROPERABILITY WORKING GROUP.;"

(2) by redesignating subsection (c) as subsection (d);

(3) by inserting after subsection (b) the following:

"(c) SMART GRID INTEROPERABILITY WORKING GROUP.—

"(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this paragraph, the Secretary, in collaboration with the National Institute of Standards and Technology of the Department of Commerce, the Institute of Electrical and Electronics Engineers, and the Smart Grid Interoperability Panel, shall establish a working group, to be known as the 'Smart Grid Interoperability Working Group'—

"(A) to identify additional efforts the Federal Government can take to better promote the establishment and adoption of open standards that enhance connectivity and interoperability on the electric grid;

"(B) to study the market and policy barriers to deploying responsive appliances at scale; and

"(C) to develop a plan for establishing and promoting the widespread adoption of interoperability standards.

"(2) MEMBERSHIP.—The Smart Grid Interoperability Working Group shall include such representatives as the Secretary determines to be appropriate from—

"(A) appliance manufacturers;

"(B) utilities;

"(C) software providers;

"(D) energy efficiency and environmental stakeholders; and

"(E) relevant Federal departments and agencies.

"(3) REPORT.—Not later than 18 months after the date of enactment of this paragraph, the Smart Grid Interoperability Working Group shall submit to the Secretary a report that describes the initial findings and recommendations of the Smart Grid Interoperability Working Group, as described in paragraph (1)."; and

(4) in subsection (d) (as redesignated by paragraph (2)), by striking "and Smart Grid Task Force" and inserting "the Smart Grid Task Force, and the Smart Grid Interoperability Working Group".

SEC. 3. SMART GRID TECHNOLOGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM POLICY.

Section 1304 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17384) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the second sentence, by inserting "and lessons learned from demonstration projects implemented under this section" before the period at the end;

(B) in paragraph (2)—

(i) in subparagraph (D), by striking "and" at the end;

(ii) in subparagraph (E), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(F) to identify best practices for the implementation of the Fair Information Prac-

tice Principles (FIPPS) of the Federal Trade Commission for the collection, use, disclosure, and retention of individual customer information."; and

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking the subparagraph designation and heading and all that follows through "the initiative" and inserting the following:

"(A) FINANCIAL ASSISTANCE.—

"(i) IN GENERAL.—In carrying out the Initiative, subject to clause (ii)"; and

(II) by adding at the end the following:

"(ii) REQUIREMENT.—In selecting smart grid demonstration projects to receive assistance under this subparagraph, the Secretary shall ensure, to the maximum extent practicable—

"(I) geographical diversity; and

"(II) diversity among types of electricity markets and regulatory environments.";

(ii) by redesignating subparagraphs (B) through (F) as subparagraphs (C) through (G), respectively;

(iii) by inserting after subparagraph (A) the following:

"(B) ADDITIONAL DEMONSTRATION PROJECT FUNDING.—

"(i) IN GENERAL.—In carrying out the Initiative, in addition to financial assistance provided under subparagraph (A), the Secretary shall provide grants, on a competitive basis, for demonstration projects in any of the following 7 program areas:

"(I) TRANSACTIVE ENERGY.—Projects that implement a system of economic or control mechanisms that optimizes the dynamic balance of supply and demand across the electrical infrastructure, using economic value as a key operational parameter.

"(II) INNOVATION IN VALUATION OF NEW TECHNOLOGY GRID SERVICES AND EFFICIENCY.—Projects that implement innovative ways of valuing the grid services provided by demand response, energy efficiency, distributed generation, electric vehicles, and storage.

"(III) RATE DESIGN-DISTRIBUTION SYSTEM.—Projects that implement rates, such as 3-part rates, to equitably ensure cost-recovery and the reliability of the distribution grid, while also supporting the increased penetration of distributed generation, storage, and electric vehicles.

"(IV) RATE DESIGN-CONSUMER ACCEPTANCE OF TIME-BASED PRICING.—Projects that—

"(aa) study consumer adoption of time-based retail electricity rates through the implementation of time-based rates, in conjunction with randomized control trials; and

"(bb) may—

"(AA) provide to customers a range of time-based pricing options, as well as options to adopt enabling technology; and

"(BB) implement a heterogeneity of marketing and outreach approaches.

"(V) ENERGY STORAGE.—Projects that demonstrate innovative approaches for using energy storage for grid services, including—

"(aa) flexibility; and

"(bb) the integration of intermittent renewable energy.

"(VI) SMART ELECTRIC VEHICLE CHARGING.—Projects that—

"(aa) demonstrate innovative approaches for integrating electric vehicles into grid operations; or

"(bb) produce, test, and certify to IEEE/UL standards bidirectional power electronics for electric vehicles.

"(VII) OTHER PROGRAM AREA.—Projects in 1 additional program area that the Secretary may identify, by regulation.

"(ii) PRIORITY REQUIREMENTS.—In selecting demonstration projects to receive grants under clause (i), the Secretary shall give priority to—

“(I) for demonstration projects described in subclause (I) of clause (i), projects that—
 “(aa) incorporate real-time prices and technologies that allow prices to be directly delivered to end-user devices (an approach commonly known as ‘prices to devices’); or
 “(bb) advance device visibility in grid system operations;

“(II) for demonstration projects described in subclause (II) of clause (i), projects that address valuation of ancillary services, capacity, and services offered in price-responsive markets;

“(III) for demonstration projects described in subclause (III) of clause (i), projects that assess—

“(aa) the impact of the rates described in that subclause on customer electricity consumption patterns;

“(bb) customer interest and enrollment in the new rates;

“(cc) the impact of rates on the economics of distributed generation and storage;

“(dd) the impact of rates on consumer adoption patterns of distributed generation and storage; or

“(ee) the effectiveness of various educational outreach measures in presenting the rates to customers;

“(IV) for demonstration projects described in subclause (IV) of clause (i), projects that—

“(aa) investigate the effects on customer participation and satisfaction rates of—

“(AA) choice architecture, such as defaulting to an opt-in, versus an opt-out, program; and

“(BB) enabling technology; or

“(bb) demonstrate how the lessons learned from the study described in that subclause can be used to develop a rate transition plan that facilitates significant and lasting enrollment in the new rates with a high degree of customer satisfaction;

“(V) for demonstration projects described in subclause (V) of clause (i), projects that maximize—

“(aa) benefits to intermittent renewable energy generation; and

“(bb) the range of grid services provided by storage; and

“(VI) for demonstration projects described in subclause (VI) of clause (i), projects that demonstrate methods of—

“(aa) maximizing the grid services provided by electric vehicles; and

“(bb) minimizing load spikes and grid costs associated with electric vehicles.”;

(iv) in subparagraph (C) (as redesignated by clause (ii))—

(I) by striking “subparagraph (A) shall be carried out” and inserting the following:

“subparagraph (A) or (B) shall be—

“(i) carried out”;

(II) by striking the period at the end and inserting “; and”;

(III) by adding at the end the following:

“(ii) given priority in selection for assistance based on the extent to which the project demonstrates strong collaboration among—

“(I) State energy agencies;

“(II) State public utility and public service commissions;

“(III) electric utilities;

“(IV) power aggregators; and

“(V) if applicable, independent system operators, regional transmission organizations, or wholesale market operators.”;

(v) in subparagraph (D) (as redesignated by clause (ii)), by striking “subparagraph (B)” and inserting “subparagraph (C)”;

(vi) in subparagraph (E) (as redesignated by clause (ii)), by striking the subparagraph designation and heading and all that follows through “No person” and inserting the following:

“(E) ELIGIBILITY FOR OTHER FUNDING.—

“(i) IN GENERAL.—A person or entity that receives financial assistance for a demonstration project in any program area described in subparagraph (A) or any of subclauses (I) through (VII) of subparagraph (B)(i) may be eligible to receive assistance under any other such program area, if the person or entity establishes to the satisfaction of the Secretary a synergy between the program areas.

“(ii) INELIGIBILITY.—No person”; and

(vii) in subparagraph (F) (as redesignated by clause (ii))—

(I) in the first sentence, by striking “The Secretary” and inserting the following:

“(i) ESTABLISHMENT OF CLEARINGHOUSE.—The Secretary”;

(II) by striking the second sentence and inserting the following:

“(ii) PROVISION OF INFORMATION.—As a condition of receiving financial assistance under this subsection, a utility or other participant in a smart grid demonstration project shall provide such information as the Secretary may require, to become available through the smart grid information clearinghouse and for purposes of producing the reports described in subclauses (IV) and (V) of clause (iv), in such form and at such time as the Secretary may require.”;

(III) in the third sentence, by striking “The Secretary shall assure” and inserting the following:

“(iii) PROTECTED INFORMATION.—The Secretary shall ensure”; and

(IV) by adding at the end the following:

“(iv) WORKING GROUPS.—

“(I) ESTABLISHMENT.—For each program area described in subparagraph (A) or any of subclauses (I) through (VII) of subparagraph (B)(i), the Secretary shall establish a working group, to be composed of representatives of each project selected to receive assistance within that program area.

“(II) MEETINGS.—Each working group established under subclause (I) shall meet not less frequently than once every 90 days.

“(III) PARTICIPATION REQUIRED.—As a condition of receiving financial assistance under this subsection, the owner or operator of a demonstration project shall designate a representative of the project to serve as a member of the applicable working group established under subclause (I), including by attending each meeting of the working group under subclause (II).

“(IV) REPORTS.—Each working group established under subclause (I) shall submit to the Secretary reports regarding the demonstrations projects carried out by members of the working group, at such times and containing such information as the Secretary may require.

“(V) PUBLICATION.—The Secretary shall periodically publish reports and other appropriate informational materials for use, within each program area described in subclause (I), by—

“(aa) State regulators;

“(bb) wholesale market operators;

“(cc) electric utilities; and

“(dd) such other individuals and entities as the Secretary determines to be appropriate.”; and

(2) by striking subsection (c) and inserting the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2017 through 2021.”.

SEC. 4. FEDERAL MATCHING FUND FOR SMART GRID INVESTMENT COSTS.

Section 1306(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17386(f)) is amended by striking “fiscal years 2008 through 2012” and inserting “each of fiscal years 2017 through 2021”.

By Mr. WYDEN:

S. 1233. A bill to amend the Public Utility Regulatory Policies Act of 1978 to expand the electric rate-setting authority of States; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I rise to introduce the PURPA PLUS Act.

In my home State we have numerous emerging small renewable energy technologies, such as wave energy buoys, hydropower turbines in irrigation canals, biomass burning cogeneration facilities and rooftop solar installations. Like Oregon, many States have sought to advance such new electricity technologies by allowing utilities to pay higher than normal power purchase rates, called “incentive rates”, for power from these desirable technologies. Incentive rates allow individuals and small businesses deploying these desirable technologies to recover the money they invest in the infrastructure, such as solar panels or other electricity generation equipment, over a reasonable period of time. The ability of States to award such incentive rates for small projects is currently hampered by the need to go through a case-by-case review process before the Federal Energy Regulatory Commission, FERC.

The PURPA PLUS Act simply provides States the legal authority to set incentive rates for small renewable energy projects. Currently, under the Public Utility Regulatory Policies Act of 1978, PURPA, the FERC regulates the price that utility companies pay for electricity from small, independent power providers. Such prices can be no higher than what it would normally cost a utility company either to generate or to buy additional power from the lowest cost provider. This structure sets a limit on prices that is often too low for small renewable energy projects to be financially viable, despite other clear benefits they provide, such as local job creation, lower investment in high-voltage transmission lines, diversity in an area’s power generation portfolio, and the environmental benefits of green energy.

PURPA PLUS would transfer the authority for setting power purchase rates for small power projects of less than 2 megawatts from FERC to the States on a voluntary basis. If a State chose to exercise this authority to promote small wind energy development, or solar, or cogeneration projects, it could. If a State chose not to use this authority, FERC would continue to regulate these projects as before. By capping the project size at 2 megawatts, PURPA PLUS only extends this new authority for small projects that are providing very small amounts of power to the local utility company, leaving regulation of large wind farms, hydropower and other large renewable energy projects unchanged.

While I acknowledge that the power from these small projects may be more expensive than a large central generation station powered by coal or gas, I

believe that States, if they choose, should be able to consider the associated benefits of small renewable power and set higher prices, when the market demands such action and when the benefits outweigh the costs.

I urge my colleagues to review and ultimately to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “PURPA’s Legislative Upgrade to State Authority Act” or “PURPA PLUS Act”.

SEC. 2. FINDINGS.

Congress finds that—

(1) section 210 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–3)—

(A) established a new class of nonutility generators known as “qualifying cogeneration facilities” and “qualifying small power production facilities”; and

(B) encouraged the development of alternate sources of energy with the requirement that utilities purchase energy offered by qualifying facilities;

(2) since the date of enactment of that section, materials and designs for qualifying facility technologies have advanced and placed renewable resources and cogeneration facilities within the reach of more consumers, including technologies such as—

(A) solar photovoltaic panels;

(B) small wind turbines;

(C) storage technologies to support renewable energy;

(D) small hydroelectric generators on existing dams, diversions, and conduits;

(E) hydrokinetic generators;

(F) gas microturbines;

(G) steam-cycle turbines;

(H) Stirling engines;

(I) fuel cells; and

(J) biomass boilers;

(3) States need additional regulatory flexibility and authority to be able to incentivize the qualifying facilities; and

(4) the avoided cost caps on qualifying facilities should be removed so that States can set the rates for qualifying facilities of not more than 2 megawatts capacity.

SEC. 3. STATE AUTHORITY TO INCENTIVIZE QUALIFYING FACILITIES.

Section 210(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–3(b)) is amended in the last sentence by inserting before the period at the end the following: “, except that the rule shall provide that a State regulatory authority or non-regulated electric utility, acting under State authority, may set rates that exceed the incremental cost of alternative electric energy for purchases from any qualifying cogeneration facility or qualifying small power production facility of not more than 2 megawatts capacity”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 170—SUPPORTING THE GOALS AND IDEALS OF NATIONAL TRAVEL AND TOURISM WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF TRAVEL AND TOURISM TO THE UNITED STATES

Ms. KLOBUCHAR (for herself, Mr. BLUNT, Mr. SCHATZ, Mr. KIRK, Mr. REID, Mr. WARNER, Ms. HIRONO, Mr. HELLER, Mr. KING, Mr. ROUNDS, Mr. CASSIDY, Mr. FRANKEN, Mrs. SHAHEEN, Mr. BLUMENTHAL, and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 170

Whereas National Travel and Tourism Week was established in 1983 through the enactment of the Joint Resolution entitled “Joint Resolution to designate the week beginning May 27, 1984, as ‘National Tourism Week’”, approved November 29, 1983 (Public Law 98–178; 97 Stat. 1126), which recognized the value of travel and tourism;

Whereas National Travel and Tourism Week is celebrated across the United States from May 2 through May 10, 2015;

Whereas more than 120 travel destinations throughout the United States are holding events in honor of National Travel and Tourism Week;

Whereas 1 out of every 9 jobs in the United States depends on travel and tourism, and the industry supports 15,000,000 jobs in the United States;

Whereas the travel and tourism industry employs individuals in all 50 States, the District of Columbia, and all the territories of the United States;

Whereas international travel to the United States is the single largest export industry in the country, generating a trade surplus balance of approximately \$74,000,000,000;

Whereas the travel and tourism industry, Congress, and the President have worked to streamline the visa process and make the United States welcoming to visitors from other countries;

Whereas travel and tourism provide significant economic benefits to the United States by generating nearly \$2,100,000,000,000 in annual economic output;

Whereas leisure travel allows individuals to experience the rich cultural heritage and educational opportunities of the United States and its communities; and

Whereas the immense value of travel and tourism cannot be overstated: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Travel and Tourism Week;

(2) commends the travel and tourism industry for its important contributions to the United States; and

(3) commends the employees of the travel and tourism industry for their important contributions to the United States.

SENATE RESOLUTION 171—CONGRATULATING THE STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS OF CHARTER SCHOOLS ACROSS THE UNITED STATES FOR MAKING ONGOING CONTRIBUTIONS TO EDUCATION, AND SUPPORTING THE IDEALS AND GOALS OF THE 16TH ANNUAL NATIONAL CHARTER SCHOOLS WEEK, TO BE HELD MAY 3 THROUGH MAY 9, 2015

Mr. ALEXANDER (for himself, Mr. BENNET, Mr. BOOKER, Mr. BURR, Mr. CARPER, Mr. CASSIDY, Mr. COONS, Mr. CORNYN, Mr. CRUZ, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HATCH, Mr. ISAKSON, Mr. KIRK, Mr. LANKFORD, Mr. MCCAIN, Mr. MCCONNELL, Mr. PERDUE, Mr. RUBIO, Mr. SCOTT, Mr. TILLIS, and Mr. VITTER) submitted the following resolution; which was considered and agreed to:

S. RES. 171

Whereas charter schools are public schools that do not charge tuition and enroll any student who wants to attend, often through a random lottery when the demand for enrollment is outmatched by the supply of available charter school seats;

Whereas high-performing public charter schools deliver a high-quality public education and challenge all students to reach the students’ potential for academic success;

Whereas public charter schools promote innovation and excellence in public education;

Whereas public charter schools throughout the United States provide millions of families with diverse and innovative educational options for children of the families;

Whereas high-performing public charter schools and charter management organizations are increasing student achievement and attendance rates at institutions of higher education;

Whereas public charter schools are authorized by a designated entity and—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, high-performance, and innovation;

Whereas, in exchange for flexibility and autonomy, public charter schools are held accountable by the authorizers of the charter schools for improving student achievement and for sound financial and operational management;

Whereas public charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas public charter schools often set higher expectations for students, beyond the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), to ensure that the charter schools are of high quality and truly accountable to the public;

Whereas 43 States and the District of Columbia have enacted laws authorizing public charter schools;

Whereas, as of the 2014–2015 school year, more than 6,700 public charter schools served more than 2,900,000 children;

Whereas in the United States—

(1) in 150 school districts, more than 10 percent of public school students are enrolled in public charter schools; and

(2) in 12 school districts, at least 30 percent of public school students are enrolled in public charter schools;