

Editorial Notes

REFERENCES IN TEXT

Section 50141(d), referred to in subsec. (b), is section 50141(d) of Pub. L. 117-169, title V, Aug. 16, 2022, 136 Stat. 2043, which is not classified to the Code.

CODIFICATION

Section was enacted as part of Pub. L. 117-169, and not as part of div. D of Pub. L. 117-58, which enacted this chapter.

Statutory Notes and Related Subsidiaries

DEFINITION OF “SECRETARY”

“Secretary” means the Secretary of Energy, see section 50111 of Pub. L. 117-169, set out as a note under section 17113b of this title.

§ 18715a. Grants to facilitate the siting of interstate electricity transmission lines**(a) Appropriation**

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$760,000,000, to remain available through September 30, 2029, for making grants in accordance with this section and for administrative expenses associated with carrying out this section.

(b) Use of funds**(1) In general**

The Secretary may make a grant under this section to a siting authority for, with respect to a covered transmission project, any of the following activities:

(A) Studies and analyses of the impacts of the covered transmission project.

(B) Examination of up to 3 alternate siting corridors within which the covered transmission project feasibly could be sited.

(C) Participation by the siting authority in regulatory proceedings or negotiations in another jurisdiction, or under the auspices of a Transmission Organization (as defined in section 796 of title 16) that is also considering the siting or permitting of the covered transmission project.

(D) Participation by the siting authority in regulatory proceedings at the Federal Energy Regulatory Commission or a State regulatory commission for determining applicable rates and cost allocation for the covered transmission project.

(E) Other measures and actions that may improve the chances of, and shorten the time required for, approval by the siting authority of the application relating to the siting or permitting of the covered transmission project, as the Secretary determines appropriate.

(2) Economic development

The Secretary may make a grant under this section to a siting authority, or other State, local, or Tribal governmental entity, for economic development activities for communities that may be affected by the construction and operation of a covered transmission project, provided that the Secretary shall not enter into any grant agreement pursuant to this sec-

tion that could result in any outlays after September 30, 2031.

(c) Conditions**(1) Final decision on application**

In order to receive a grant for an activity described in subsection (b)(1), the Secretary shall require a siting authority to agree, in writing, to reach a final decision on the application relating to the siting or permitting of the applicable covered transmission project not later than 2 years after the date on which such grant is provided, unless the Secretary authorizes an extension for good cause.

(2) Federal share

The Federal share of the cost of an activity described in subparagraph (C) or (D) of subsection (b)(1) shall not exceed 50 percent.

(3) Economic development

The Secretary may only disburse grant funds for economic development activities under subsection (b)(2)—

(A) to a siting authority upon approval by the siting authority of the applicable covered transmission project; and

(B) to any other State, local, or Tribal governmental entity upon commencement of construction of the applicable covered transmission project in the area under the jurisdiction of the entity.

(d) Returning funds

If a siting authority that receives a grant for an activity described in subsection (b)(1) fails to use all grant funds within 2 years of receipt, the siting authority shall return to the Secretary any such unused funds.

(e) Definitions

In this section:

(1) Covered transmission project

The term “covered transmission project” means a high-voltage interstate or offshore electricity transmission line—

(A) that is proposed to be constructed and to operate—

(i) at a minimum of 275 kilovolts of either alternating-current or direct-current electric energy by an entity; or

(ii) offshore and at a minimum of 200 kilovolts of either alternating-current or direct-current electric energy by an entity; and

(B) for which such entity has applied, or informed a siting authority of such entity’s intent to apply, for regulatory approval.

(2) Siting authority

The term “siting authority” means a State, local, or Tribal governmental entity with authority to make a final determination regarding the siting, permitting, or regulatory status of a covered transmission project that is proposed to be located in an area under the jurisdiction of the entity.

(Pub. L. 117-169, title V, § 50152, Aug. 16, 2022, 136 Stat. 2046.)

Editorial Notes

CODIFICATION

Section was enacted as part of Pub. L. 117-169, and not as part of div. D of Pub. L. 117-58, which enacted this chapter.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “Secretary” and “State” as used in this section, see section 50111 of Pub. L. 117-169, set out as a note under section 17113b of this title.

§ 18715b. Interregional and offshore wind electricity transmission planning, modeling, and analysis**(a) Appropriation**

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$100,000,000, to remain available through September 30, 2031, to carry out this section.

(b) Use of funds

The Secretary shall use amounts made available under subsection (a)—

(1) to pay expenses associated with convening relevant stakeholders to address the development of interregional electricity transmission and transmission of electricity that is generated by offshore wind; and

(2) to conduct planning, modeling, and analysis regarding interregional electricity transmission and transmission of electricity that is generated by offshore wind, taking into account the local, regional, and national economic, reliability, resilience, security, public policy, and environmental benefits of interregional electricity transmission and transmission of electricity that is generated by offshore wind, including planning, modeling, and analysis, as the Secretary determines appropriate, pertaining to—

(A) clean energy integration into the electric grid, including the identification of renewable energy zones;

(B) the effects of changes in weather due to climate change on the reliability and resilience of the electric grid;

(C) cost allocation methodologies that facilitate the expansion of the bulk power system;

(D) the benefits of coordination between generator interconnection processes and transmission planning processes;

(E) the effect of increased electrification on the electric grid;

(F) power flow modeling;

(G) the benefits of increased interconnections or interties between or among the Western Interconnection, the Eastern Interconnection, the Electric Reliability Council of Texas, and other interconnections, as applicable;

(H) the cooptimization of transmission and generation, including variable energy resources, energy storage, and demand-side management;

(I) the opportunities for use of nontransmission alternatives, energy storage, and grid-enhancing technologies;

(J) economic development opportunities for communities arising from development of interregional electricity transmission and transmission of electricity that is generated by offshore wind;

(K) evaluation of existing rights-of-way and the need for additional transmission corridors; and

(L) a planned national transmission grid, which would include a networked transmission system to optimize the existing grid for interconnection of offshore wind farms.

(Pub. L. 117-169, title V, § 50153, Aug. 16, 2022, 136 Stat. 2048.)

Editorial Notes

CODIFICATION

Section was enacted as part of Pub. L. 117-169, and not as part of div. D of Pub. L. 117-58, which enacted this chapter.

Statutory Notes and Related Subsidiaries

DEFINITION OF “SECRETARY”

“Secretary” means the Secretary of Energy, see section 50111 of Pub. L. 117-169, set out as a note under section 17113b of this title.

PART B—CYBERSECURITY

§ 18721. Enhancing grid security through public-private partnerships**(a) Definitions**

In this section:

(1) Bulk-power system; Electric Reliability Organization

The terms “bulk-power system” and “Electric Reliability Organization” has the meaning given the terms in section 824o(a) of title 16.

(2) Electric utility; State regulatory authority

The terms “electric utility” and “State regulatory authority” have the meanings given the terms in section 796 of title 16.

(b) Program to promote and advance physical security and cybersecurity of electric utilities**(1) Establishment**

The Secretary, in coordination with the Secretary of Homeland Security and in consultation with, as the Secretary determines to be appropriate, the heads of other relevant Federal agencies, State regulatory authorities, industry stakeholders, and the Electric Reliability Organization, shall carry out a program—

(A) to develop, and provide for voluntary implementation of, maturity models, self-assessments, and auditing methods for assessing the physical security and cybersecurity of electric utilities;

(B) to assist with threat assessment and cybersecurity training for electric utilities;

(C) to provide technical assistance for electric utilities subject to the program;

(D) to provide training to electric utilities to address and mitigate cybersecurity supply chain management risks;