

State and with the same North American Industry Classification System codes as were received for the 2016 and 2017 reports entitled “U.S. Energy and Employment Report”.

(3) Consultation

In conducting the survey and analysis under paragraph (1), the Council shall consult with key stakeholders, including—

(A) as the Council determines to be appropriate, the heads of relevant Federal agencies and offices, including—

- (i) the Secretary of Commerce;
- (ii) the Secretary of Transportation;
- (iii) the Director of the Bureau of the Census;
- (iv) the Commissioner of the Bureau of Labor Statistics; and
- (v) the Administrator of the Environmental Protection Agency;

(B) States;

(C) the State Energy Advisory Board established by section 6325(g) of this title; and

(D) energy industry trade associations.

(c) Report

(1) In general

Not later than 1 year after November 15, 2021, and annually thereafter, the Secretary shall—

(A) make publicly available on the website of the Department a report, to be entitled the “U.S. Energy and Employment Report”, describing the employment figures and demographics in the energy, energy efficiency, and motor vehicle sectors of the United States, and the average number of hours devoted to regulatory compliance, based on the survey and analysis conducted under subsection (b); and

(B) subject to the requirements of subchapter III of chapter 35 of title 44, make the data collected by the Council publicly available on the website of the Department.

(2) Contents

(A) In general

The report under paragraph (1) shall include employment figures and demographic data for—

(i) the energy sector of the economy of the United States, including—

- (I) the electric power generation and fuels sector; and
- (II) the transmission, storage, and distribution sector;

(ii) the energy efficiency sector of the economy of the United States; and

(iii) the motor vehicle sector of the economy of the United States.

(B) Inclusion

With respect to each sector described in subparagraph (A), the report under paragraph (1) shall include employment figures and demographic data sorted by—

(i) each technology, subtechnology, and fuel type of those sectors; and

(ii) subject to the requirements of the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107-347)—

(I) each State;

(II) each territory of the United States;

(III) the District of Columbia; and

(IV) each county (or equivalent jurisdiction) in the United States.

(Pub. L. 117-58, div. D, title V, §40553, Nov. 15, 2021, 135 Stat. 1076.)

Editorial Notes

REFERENCES IN TEXT

The Confidential Information Protection and Statistical Efficiency Act of 2002, referred to in subsec. (c)(2)(B)(ii), is title V of Pub. L. 107-347, Dec. 17, 2002, 116 Stat. 2962, which is set out as a note under section 3501 of Title 44, Public Printing and Documents.

Statutory Notes and Related Subsidiaries

WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of this title.

§ 18842. Model guidance for combined heat and power systems and waste heat to power systems

(a) Definitions

In this section:

(1) Additional services

The term “additional services” means the provision of supplementary power, backup or standby power, maintenance power, or interruptible power to an electric consumer by an electric utility.

(2) Waste heat to power system

The term “waste heat to power system” means a system that generates electricity through the recovery of waste energy.

(3) Other terms

(A) Purpa

The terms “electric consumer”, “electric utility”, “interconnection service”, “non-regulated electric utility”, and “State regulatory authority” have the meanings given those terms in the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), within the meaning of title I of that Act (16 U.S.C. 2611 et seq.).

(B) EPCA

The terms “combined heat and power system” and “waste energy” have the meanings given those terms in section 6341 of this title.

(b) Review

(1) In general

Not later than 180 days after November 15, 2021, the Secretary, in consultation with the Federal Energy Regulatory Commission and other appropriate entities, shall review existing rules and procedures relating to interconnection service and additional services throughout the United States for electric generation with nameplate capacity up to 150

megawatts connecting at either distribution or transmission voltage levels to identify barriers to the deployment of combined heat and power systems and waste heat to power systems.

(2) Inclusion

The review under this subsection shall include a review of existing rules and procedures relating to—

(A) determining and assigning costs of interconnection service and additional services; and

(B) ensuring adequate cost recovery by an electric utility for interconnection service and additional services.

(c) Model guidance

(1) In general

Not later than 18 months after November 15, 2021, the Secretary, in consultation with the Federal Energy Regulatory Commission and other appropriate entities, shall issue model guidance for interconnection service and additional services for consideration by State regulatory authorities and nonregulated electric utilities to reduce the barriers identified under subsection (b)(1).

(2) Current best practices

The model guidance issued under this subsection shall reflect, to the maximum extent practicable, current best practices to encourage the deployment of combined heat and power systems and waste heat to power systems while ensuring the safety and reliability of the interconnected units and the distribution and transmission networks to which the units connect, including—

(A) relevant current standards developed by the Institute of Electrical and Electronic Engineers; and

(B) model codes and rules adopted by—

(i) States; or

(ii) associations of State regulatory agencies.

(3) Factors for consideration

In establishing the model guidance under this subsection, the Secretary shall take into consideration—

(A) the appropriateness of using standards or procedures for interconnection service that vary based on unit size, fuel type, or other relevant characteristics;

(B) the appropriateness of establishing fast-track procedures for interconnection service;

(C) the value of consistency with Federal interconnection rules established by the Federal Energy Regulatory Commission as of November 15, 2021;

(D) the best practices used to model outage assumptions and contingencies to determine fees or rates for additional services;

(E) the appropriate duration, magnitude, or usage of demand charge ratchets;

(F) potential alternative arrangements with respect to the procurement of additional services, including—

(i) contracts tailored to individual electric consumers for additional services;

(ii) procurement of additional services by an electric utility from a competitive market; and

(iii) waivers of fees or rates for additional services for small electric consumers; and

(G) outcomes such as increased electric reliability, fuel diversification, enhanced power quality, and reduced electric losses that may result from increased use of combined heat and power systems and waste heat to power systems.

(Pub. L. 117-58, div. D, title V, §40556, Nov. 15, 2021, 135 Stat. 1078.)

Editorial Notes

REFERENCES IN TEXT

The Public Utility Regulatory Policies Act of 1978, referred to in subsec. (a)(3)(A), is Pub. L. 95-617, Nov. 9, 1978, 92 Stat. 3117. Title I (§101 et seq.) of the Act enacted subchapters I to IV of chapter 46 (§2611 et seq.) of Title 16, Conservation, and section 6808 of this title, and amended sections 6802 to 6807 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2601 of Title 16 and Tables.

Statutory Notes and Related Subsidiaries

WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of this title.

SUBCHAPTER VI—WAGE RATE REQUIREMENTS

§ 18851. Wage rate requirements

(a) Davis-Bacon

All laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration, or repair work on a project assisted in whole or in part by funding made available under this division or an amendment made by this division shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40 (commonly referred to as the “Davis-Bacon Act”).

(b) Authority

With respect to the labor standards specified in subsection (a), the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40.

(Pub. L. 117-58, div. D, title XI, §41101, Nov. 15, 2021, 135 Stat. 1130.)

Editorial Notes

REFERENCES IN TEXT

This division, referred to in subsec. (a), is div. D of Pub. L. 117-58, Nov. 15, 2021, 135 Stat. 923, which enacted this chapter and enacted and amended numerous other sections and notes in the Code. For complete classification of div. D to the Code, see Tables.