

114TH CONGRESS
1ST SESSION

S. 1217

To establish an Interagency Rapid Response Team for Transmission, to establish an Office of Transmission Ombudsperson, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2015

Ms. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish an Interagency Rapid Response Team for Transmission, to establish an Office of Transmission Ombudsperson, 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 “Electric Transmission
5 Infrastructure Permitting Improvement Act”.

6 **SEC. 2. INTERAGENCY RAPID RESPONSE TEAM FOR TRANS-**
7 **MISSION.**

8 (a) ESTABLISHMENT.—There is established an inter-
9 agency rapid response team, to be known as the “Inter-
10 agency Rapid Response Team for Transmission” (referred

1 to in this section as the “Team”), to expedite and improve
2 the permitting process for electric transmission infrastruc-
3 ture on Federal land and non-Federal land.

4 (b) MISSION.—The mission of the Team shall be—

5 (1) to improve the timeliness and efficiency of
6 electric transmission infrastructure permitting; and

7 (2) to facilitate the performance of maintenance
8 and upgrades to electric transmission lines on Fed-
9 eral land and non-Federal land.

10 (c) MEMBERSHIP.—The Team shall be comprised of
11 representatives of—

12 (1) the Federal Energy Regulatory Commission;

13 (2) the Department of Energy;

14 (3) the Department of the Interior;

15 (4) the Department of Defense;

16 (5) the Department of Agriculture;

17 (6) the Council on Environmental Quality;

18 (7) the Department of Commerce;

19 (8) the Advisory Council on Historic Preserva-
20 tion; and

21 (9) the Environmental Protection Agency.

22 (d) DUTIES.—The Team shall—

23 (1) facilitate coordination and unified environ-
24 mental documentation among electric transmission
25 infrastructure project applicants, Federal agencies,

1 States, and Indian tribes involved in the siting and
2 permitting process;

3 (2) establish clear timelines for the review and
4 coordination of electric transmission infrastructure
5 projects by the applicable agencies;

6 (3) ensure that each electric transmission infra-
7 structure project is posted on the Federal permitting
8 transmission tracking system known as “e-Trans”,
9 including information on the status and anticipated
10 completion date of each project; and

11 (4) regularly notify all participating members of
12 the Team involved in any specific permit of—

13 (A) any outstanding agency action that is
14 required with respect to the permit; and

15 (B) any approval or required comment that
16 has exceeded statutory or agency timelines for
17 completion, including an identification of any
18 Federal agency, department, or field office that
19 has not met the applicable timeline.

20 (e) ANNUAL REPORTS.—Annually, the Team shall
21 submit to the Committee on Energy and Natural Re-
22 sources of the Senate and the Committee on Energy and
23 Commerce of the House of Representatives a report that
24 describes the average completion time for specific cat-
25 egories of regionally and nationally significant trans-

1 mission projects, based on information obtained from the
2 applicable Federal agencies.

3 (f) USE OF DATA BY OMB.—Using data provided by
4 the Team, the Director of the Office of Management and
5 Budget shall prioritize inclusion of individual electric
6 transmission infrastructure projects in the permit per-
7 formance dashboard.

8 **SEC. 3. TRANSMISSION OMBUDSPERSON.**

9 (a) ESTABLISHMENT.—To enhance and ensure the
10 reliability of the electric grid, there is established within
11 the Federal Energy Regulatory Commission the position
12 of Transmission Ombudsperson (referred to in this section
13 as the “Ombudsperson”), to provide a unified point of
14 contact for—

15 (1) resolving interagency or intra-agency issues
16 or delays with respect to electric transmission infra-
17 structure permits; and

18 (2) receiving and resolving complaints from par-
19 ties with outstanding or in-process applications re-
20 lating to electric transmission infrastructure.

21 (b) DUTIES.—The Ombudsperson shall—

22 (1) establish a process for—

23 (A) facilitating the permitting process for
24 performance of maintenance and upgrades to
25 electric transmission lines on Federal land and

1 non-Federal land, with a special emphasis on
 2 facilitating access for immediate maintenance,
 3 repair, and vegetation management needs;

4 (B) resolving complaints filed with the
 5 Ombudsperson with respect to in-process elec-
 6 tric transmission infrastructure permits; and

7 (C) issuing recommended resolutions to ad-
 8 dress the complaints filed with the
 9 Ombudsperson; and

10 (2) hear, compile, and share any complaints
 11 filed with Ombudsperson relating to in-process elec-
 12 tric transmission infrastructure permits.

13 **SEC. 4. RIGHTS-OF-WAY FOR ELECTRIC TRANSMISSION SYS-**
 14 **TEMS.**

15 Section 507 of the Federal Land Policy and Manage-
 16 ment Act of 1976 (43 U.S.C. 1767) is amended by adding
 17 at the end the following:

18 “(c) RIGHTS-OF-WAY FOR ELECTRIC TRANSMISSION
 19 SYSTEMS.—

20 “(1) IN GENERAL.—In a case in which a right-
 21 of-way has been reserved for the use of any Federal
 22 agency or department for an electric transmission
 23 system, the Secretary shall not take any of the ac-
 24 tions described in paragraph (2) unless the head of
 25 the applicable Federal agency or department pro-

1 poses to change the use of the right-of-way to sup-
2 port a function other than an electric transmission
3 system.

4 “(2) COVERED ACTIONS.—An action referred to
5 in paragraph (1) is an action—

6 “(A) requiring a new grant, permit, or re-
7 newal of the grant or permit relating to the
8 right-of-way;

9 “(B) requiring any other authorization or
10 instrument relating to the right-of-way; or

11 “(C) imposing new terms or conditions re-
12 lating to the right-of-way or the use of the
13 right-of-way, including any proposed changes to
14 or additions of equipment, structures, or other
15 electric transmission system facilities or appur-
16 tenances.”.

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