

Calendar No. 534115TH CONGRESS
2^D SESSION**S. 930**

To require the Administrator of the Western Area Power Administration to establish a pilot project to provide increased transparency for customers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2017

Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JULY 30, 2018

Reported by Ms. MURKOWSKI, with an amendment

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

A BILL

To require the Administrator of the Western Area Power Administration to establish a pilot project to provide increased transparency for 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Western Area Power
3 Administration Transparency Act”.

4 **SEC. 2. WESTERN AREA POWER ADMINISTRATION PILOT**
5 **PROJECT.**

6 (a) IN GENERAL.—Not later than 120 days after the
7 date of enactment of this Act, the Administrator of the
8 Western Area Power Administration (referred to in this
9 section as the “Administrator”) shall establish a pilot
10 project, as part of the continuous process improvement
11 program and to provide increased transparency for cus-
12 tomers, to publish on a publicly available website of the
13 Western Area Power Administration, a database of the fol-
14 lowing information, beginning with fiscal year 2008, relat-
15 ing to the Western Area Power Administration:

16 (1) By power system and in a consistent for-
17 mat, rates charged to customers for power and
18 transmission service.

19 (2) By power system, the amount of capacity or
20 energy sold.

21 (3) By region, a detailed accounting, at the
22 functional level and the budget activity level, of all
23 expenditures, capital costs, and staffing costs, in-
24 cluding—

25 (A) indirect costs, including overhead
26 costs;

- 1 ~~(B)~~ direct charges and direct allocations;
- 2 ~~(C)~~ the number of contract staff;
- 3 ~~(D)~~ costs related to independent consult-
- 4 ants;
- 5 ~~(E)~~ the number of full-time equivalents;
- 6 and
- 7 ~~(F)~~ charges to the region from the head-
- 8 quarters office of the Western Area Power Ad-
- 9 ministration for all annual and capital costs.
- 10 ~~(4)~~ For the headquarters office of the Western
- 11 Area Power Administration, a detailed accounting at
- 12 the functional level and the budget activity level, of
- 13 all expenditures and capital costs, including—
- 14 ~~(A)~~ indirect costs, including overhead
- 15 costs;
- 16 ~~(B)~~ direct charges and direct allocations;
- 17 ~~(C)~~ the number of contract staff;
- 18 ~~(D)~~ costs related to independent consult-
- 19 ants;
- 20 ~~(E)~~ the number of full-time equivalents;
- 21 ~~(F)~~ a summary of any expenditures de-
- 22 scribed in this paragraph, with the total
- 23 amount paid by each region and power system;
- 24 and

1 (G) expenses incurred on behalf of other
 2 Federal agencies or programs or third parties
 3 for the administration of programs not related
 4 to the marketing, transmission, or wheeling of
 5 Federal hydropower resources, including—

- 6 (i) indirect costs, including overhead
 7 costs;
 8 (ii) direct charges and allocations;
 9 (iii) the number of contract staff; and
 10 (iv) the number of full-time equiva-
 11 lents.

12 (5) Capital expenditures, including—

13 (A) capital investments delineated by the
 14 year in which each investment is placed into
 15 service; and

16 (B) the sources of capital for each invest-
 17 ment.

18 (b) ANNUAL SUMMARY.—

19 (1) IN GENERAL.—Not later than 120 days
 20 after the end of each fiscal year in which the pilot
 21 project is being carried out under this section, the
 22 Administrator shall make available on a publicly
 23 available website—

- 1 (A) updates to documents made available
2 on the date of the initial publication of the in-
3 formation on the website under subsection (a);
- 4 (B) an identification of the magnitude of
5 annual changes in the information published on
6 the website under subsection (a);
- 7 (C) a description of the reasons for the
8 changes identified under subparagraph (B);
- 9 (D) subject to paragraph (2), the total
10 amount of the unobligated balances retained by
11 the Western Area Power Administration at the
12 end of the prior fiscal year within each mar-
13 keting area and headquarters by—
- 14 (i) purpose or function;
15 (ii) source of funding;
16 (iii) anticipated program allotment;
17 and
18 (iv) underlying authority for each
19 source of funding; and
- 20 (E) the anticipated level of unobligated
21 balances that the Western Area Power Adminis-
22 tration expects to retain at the end of the fiscal
23 year in which the annual summary is published,
24 as delineated by each of the categories de-

1 scribed in clauses (i) through (iv) of subpara-
2 graph (D).

3 ~~(2) LIMITATION.~~—Amounts in the Upper Colo-
4 rado River Basin Fund established by section 5(a)
5 of the Act of April 11, 1956 (commonly known as
6 the “Colorado River Storage Project Act”) (43
7 U.S.C. 620d(a)), shall not be considered an unobli-
8 gated balance retained by the Western Area Power
9 Administration for purposes of paragraph (1)(D).

10 ~~(c) TERMINATION.~~—The pilot project under this sec-
11 tion shall terminate on the date that is 7 years after the
12 date of enactment of this Act.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “Western Area Power*
15 *Administration Transparency Act”.*

16 **SEC. 2. WESTERN AREA POWER ADMINISTRATION PILOT**
17 **PROJECT.**

18 *(a) IN GENERAL.—Not later than 120 days after the*
19 *date of enactment of this Act, the Administrator of the West-*
20 *ern Area Power Administration (referred to in this section*
21 *as the “Administrator”) shall—*

22 *(1) establish a pilot project, as part of the con-*
23 *tinuous process improvement program and to provide*
24 *increased transparency for customers—*

1 (A) to make available a database of infor-
2 mation relating to the Western Area Power Ad-
3 ministration in accordance with paragraph (2);
4 and

5 (B) to provide annual updates to the data-
6 base in accordance with subsection (b); and

7 (2) publish on a publicly available website of the
8 Western Area Power Administration, a database of
9 the following information, beginning with fiscal year
10 2008, relating to the Western Area Power Adminis-
11 tration:

12 (A) By power system and in a consistent
13 format, rates charged to customers for power and
14 transmission service.

15 (B) By power system, the amount of capac-
16 ity or energy sold.

17 (C) By region, an accounting, at the task
18 level, budget activity level, organizational code
19 level, and object class level, of all expenditures,
20 including—

21 (i) indirect costs, including overhead
22 costs;

23 (ii) direct charges and direct alloca-
24 tions;

25 (iii) costs related to contract staff;

1 (iv) costs related to independent con-
2 sultants;

3 (v) the number of full-time equivalents;

4 (vi) charges to the region from the
5 headquarters office of the Western Area
6 Power Administration for all annual and
7 capital costs; and

8 (vii) expenses incurred on behalf of
9 other Federal agencies or programs or third
10 parties for the administration of programs
11 not related to the marketing, transmission,
12 or wheeling of Federal hydropower resources
13 within the Western Area Power Administra-
14 tion marketing area, including—

15 (I) indirect costs, including over-
16 head costs;

17 (II) direct charges and alloca-
18 tions;

19 (III) costs related to contract
20 staff; and

21 (IV) the number of full-time
22 equivalents.

23 (D) For the headquarters office of the West-
24 ern Area Power Administration, an accounting,
25 at the task level, budget activity level, organiza-

1 *tional code level, and object class level, of all ex-*
2 *penditures, including—*

3 *(i) indirect costs, including overhead*
4 *costs;*

5 *(ii) direct charges and direct alloca-*
6 *tions;*

7 *(iii) costs related to contract staff;*

8 *(iv) costs related to independent con-*
9 *sultants;*

10 *(v) the number of full-time equivalents;*

11 *(vi) a summary of any expenditures*
12 *described in this paragraph, with the total*
13 *amount paid by each region and power sys-*
14 *tem; and*

15 *(vii) expenses incurred on behalf of*
16 *other Federal agencies or programs or third*
17 *parties for the administration of programs*
18 *not related to the marketing, transmission,*
19 *or wheeling of Federal hydropower resources*
20 *within the Western Area Power Administra-*
21 *tion marketing area, including—*

22 *(I) indirect costs, including over-*
23 *head costs;*

24 *(II) direct charges and alloca-*
25 *tions;*

1 (III) costs related to contract
2 staff; and

3 (IV) the number of full-time
4 equivalents.

5 (E) Capital expenditures for each project,
6 including—

7 (i) capital investments delineated by
8 the year in which each investment is placed
9 into service; and

10 (ii) the sources of capital for each in-
11 vestment.

12 (b) ANNUAL SUMMARY.—

13 (1) IN GENERAL.—Not later than 120 days after
14 the end of each fiscal year in which the pilot project
15 is being carried out under this section, the Adminis-
16 trator shall make available on a publicly available
17 website—

18 (A) updates to documents made available on
19 the date of the initial publication of the informa-
20 tion on the website under subsection (a)(2);

21 (B) an identification of the annual changes
22 in the information published on the website
23 under subsection (a)(2);

24 (C) the reasons for the changes identified
25 under subparagraph (B);

1 (D) subject to paragraph (2), the total
2 amount of the unobligated balances retained by
3 the Western Area Power Administration at the
4 end of the prior fiscal year within each project
5 and headquarters by—

6 (i) purpose or function;

7 (ii) source of funding;

8 (iii) anticipated program allotment;

9 and

10 (iv) underlying authority for each
11 source of funding; and

12 (E) the anticipated level of unobligated bal-
13 ances that the Western Area Power Administra-
14 tion expects to retain at the end of the fiscal year
15 in which the annual summary is published, as
16 delineated by each of the categories described in
17 clauses (i) through (iv) of subparagraph (D).

18 (2) *LIMITATION.*—Amounts in the Upper Colo-
19 rado River Basin Fund established by section 5(a) of
20 the Act of April 11, 1956 (commonly known as the
21 “Colorado River Storage Project Act”) (43 U.S.C.
22 620d(a)), shall not considered to be an unobligated
23 balance retained by the Western Area Power Adminis-
24 tration for purposes of paragraph (1)(D).

1 (c) *TERMINATION.*—*The pilot project under this sec-*
2 *tion shall terminate on the date that is 7 years after the*
3 *date of enactment of this Act.*

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