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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Federal Power Act to adjust the requirements for orders, rules, and regulations relating to furnishing adequate service, to require owners or operators of generating facilities to provide notice of planned retirements of certain electric generating units, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. GRIFFITH introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Federal Power Act to adjust the requirements for orders, rules, and regulations relating to furnishing adequate service, to require owners or operators of generating facilities to provide notice of planned retirements of certain electric generating units, 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 “Power Plant Reliability  
5       Act of 2025”.

1 **SEC. 2. FURNISHING OF ADEQUATE SERVICE; ADVANCE NO-**  
2 **TICE OF PLANNED RETIREMENTS.**

3 Section 207 of the Federal Power Act (16 U.S.C.  
4 824f) is amended to read as follows:

5 **“SEC. 207. FURNISHING OF ADEQUATE SERVICE; ADVANCE**  
6 **NOTICE OF PLANNED RETIREMENTS.**

7 “(a) FURNISHING OF ADEQUATE SERVICE.—

8 “(1) IN GENERAL.—Whenever the Commission,  
9 upon complaint of a State commission, the Electric  
10 Reliability Organization, or a Transmission Organi-  
11 zation, after notice to each State commission and  
12 public utility affected, and after opportunity for  
13 hearing within 90 days of receipt of such complaint,  
14 finds that any interstate service of any public utility  
15 is inadequate or insufficient, or is likely to become  
16 inadequate or insufficient within 5 years of receiving  
17 such complaint, the Commission shall determine the  
18 proper, adequate, or sufficient service to be fur-  
19 nished, and shall fix the same by issuing an order,  
20 rule, or regulation.

21 “(2) REQUIREMENTS.—The Commission, in an  
22 order, rule, or regulation issued under paragraph  
23 (1)—

24 “(A) may not—

25 “(i) compel the enlargement of gener-  
26 ating facilities; or

1 “(ii) compel the public utility to sell  
2 or exchange electric energy when to do so  
3 would impair its ability to render proper,  
4 adequate, or sufficient service to its cus-  
5 tomers;

6 “(B) may require—

7 “(i) continuing the operation of an  
8 electric generating unit; and

9 “(ii) any affected State commission,  
10 Transmission Organization, or public util-  
11 ity to develop and implement a long-term  
12 plan for the planning, construction, and  
13 operation of interstate transmission facili-  
14 ties that may be necessary for the public  
15 utility to provide adequate and sufficient  
16 interstate service; and

17 “(C) shall determine—

18 “(i) any rate or charge necessary to  
19 provide compensation for the additional  
20 costs of the proper, adequate, or sufficient  
21 service to be furnished, including com-  
22 pensation to an owner or operator of an  
23 electric generating unit that is required to  
24 continue to operate under such order, rule,  
25 or regulation; and

1 “(ii) the cost allocation of any rate or  
2 charge.

3 “(3) TERM LENGTH.—Except as provided in  
4 paragraph (4), an order, rule, or regulation issued  
5 under paragraph (1) shall terminate on the date  
6 that is 5 years after the date on which the Commis-  
7 sion issues such order, rule, or regulation.

8 “(4) EXTENSION.—

9 “(A) REQUEST FOR EXTENSION.—Not ear-  
10 lier than the date that is 180 days prior to the  
11 date on which an order, rule, or regulation ter-  
12 minates under paragraph (3), and not later  
13 than 60 days prior to such termination date,  
14 the Electric Reliability Organization or any af-  
15 fected State commission, Transmission Organi-  
16 zation, or public utility may submit to the Com-  
17 mission a request to extend such order, rule, or  
18 regulation.

19 “(B) DEADLINE.—With respect to a re-  
20 quest submitted under subparagraph (A), the  
21 Commission shall—

22 “(i) not later than 14 days after the  
23 date on which the Commission receives the  
24 request, notify the Electric Reliability Or-  
25 ganization and each affected State com-

1 mission, Transmission Organization, and  
2 public utility of the request;

3 “(ii) provide an opportunity for a  
4 hearing on the request before accepting or  
5 denying the request under clause (iii); and

6 “(iii) not later than 60 days after the  
7 date on which the Commission receives the  
8 request—

9 “(I) accept the request and ex-  
10 tend the applicable order, rule, or reg-  
11 ulation; or

12 “(II) deny the request.

13 “(C) TERM LENGTH.—An order, rule, or  
14 regulation extended under subparagraph (B)  
15 shall terminate on the date that is 5 years after  
16 the date on which the Commission extended  
17 such order, rule, or regulation.

18 “(5) RELATION TO SECTION 202(C).—An action  
19 or omission taken by a public utility to comply with  
20 an order, rule, or regulation issued or extended  
21 under this subsection shall be treated as an action  
22 or omission taken to comply with an order issued  
23 under section 202(c) for purposes of such section.

24 “(b) ADVANCE NOTICE OF PLANNED RETIRE-  
25 MENTS.—

1           “(1) IN GENERAL.—If an owner or operator of  
2           a generating facility plans to retire an electric gener-  
3           ating unit that is a component of such facility, such  
4           owner or operator shall submit to the Commission,  
5           the Electric Reliability Organization, and any af-  
6           fected State commission or Transmission Organiza-  
7           tion a notice of such plan at least 5 years before the  
8           date on which such owner or operator plans to retire  
9           such electric generating unit.

10           “(2) UNPLANNED RETIREMENTS.—An owner or  
11           operator of a generating facility that retires an elec-  
12           tric generating unit due to an unplanned catas-  
13           trophe, emergency, disaster, or similar event that  
14           renders such electric generating unit inoperable is  
15           not subject to the notice requirement described in  
16           paragraph (1).

17           “(3) PUBLICLY AVAILABLE.—The Commission  
18           shall make publicly available each notice submitted  
19           under paragraph (1).

20           “(c) DEFINITIONS.—In this section:

21           “(1) BULK-POWER SYSTEM.—The term ‘bulk-  
22           power system’ has the meaning given such term in  
23           section 215(a).

1           “(2) ELECTRIC GENERATING UNIT.—The term  
2       ‘electric generating unit’ means an electric energy  
3       producing unit that—

4           “(A) is a component of a generating facil-  
5       ity;

6           “(B) has a power production capacity of  
7       not less than 5 megawatts; and

8           “(C) is interconnected to the bulk-power  
9       system.

10          “(3) ELECTRIC RELIABILITY ORGANIZATION.—  
11       The term ‘Electric Reliability Organization’ has the  
12       meaning given such term in section 215(a).

13          “(4) RETIRE.—The term ‘retire’, with respect  
14       to an electric generating unit, means to, for an in-  
15       definite period of time—

16           “(A) idle the electric generating unit;

17           “(B) disconnect the electric generating  
18       unit from the bulk-power system; or

19           “(C) otherwise make unavailable for sale  
20       all electric energy that is generated by the elec-  
21       tric generating unit.”.

22       **SEC. 3. ELECTRIC RELIABILITY.**

23       Section 215 of the Federal Power Act (16 U.S.C.  
24       824o) is amended by adding at the end the following:

1       “(l) ELECTRIC GENERATING UNIT RETIREMENT.—  
2   Upon receipt of a notice of a plan to retire an electric  
3   generating unit under section 207(b)(1), the Electric Reli-  
4   ability Organization may only file a complaint with the  
5   Commission pursuant to section 207(a)(1) if the Electric  
6   Reliability Organization determines that such retirement  
7   will be a violation of a reliability standard.”.