

117TH CONGRESS  
1ST SESSION

# H. R. 2823

To provide for the consideration of energy storage systems by electric utilities as part of a supply side resource process, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2021

Mr. TAKANO introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To provide for the consideration of energy storage systems by electric utilities as part of a supply side resource process, 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 “Storage Technology  
5 for Operational Readiness And Generating Energy Act”  
6 or the “S.T.O.R.A.G.E. Act”.

1 **SEC. 2. CONSIDERATION OF ENERGY STORAGE SYSTEMS.**

2 (a) IN GENERAL.—Section 111(d) of the Public Util-  
3 ity Regulatory Policies Act of 1978 (16 U.S.C. 2621(d))  
4 is amended by adding at the end the following:

5 “(20) CONSIDERATION OF ENERGY STORAGE  
6 SYSTEMS.—Each State shall consider requiring that,  
7 as part of a supply side resource planning process,  
8 an electric utility of the State demonstrate to the  
9 State that the electric utility considered an invest-  
10 ment in energy storage systems based on appro-  
11 priate factors, including—

12 “(A) total costs and normalized life cycle  
13 costs;

14 “(B) cost effectiveness;

15 “(C) improved reliability;

16 “(D) security; and

17 “(E) system performance and efficiency.”.

18 (b) TIME LIMITATIONS.—Section 112(b) of the Pub-  
19 lic Utility Regulatory Policies Act of 1978 (16 U.S.C.  
20 2622(b)) is amended by adding at the end the following:

21 “(7)(A) Not later than 1 year after the date of  
22 enactment of this paragraph, each State regulatory  
23 authority (with respect to each electric utility for  
24 which the State regulatory authority has ratemaking  
25 authority) and each nonregulated electric utility  
26 shall commence the consideration referred to in sec-

1       tion 111, or set a hearing date for consideration,  
2       with respect to the standard established by para-  
3       graph (20) of section 111(d).

4               “(B) Not later than 2 years after the date of  
5       enactment of this paragraph, each State regulatory  
6       authority (with respect to each electric utility for  
7       which the State regulatory authority has ratemaking  
8       authority), and each nonregulated electric utility,  
9       shall complete the consideration, and shall make the  
10      determination, referred to in section 111 with re-  
11      spect to the standard established by paragraph (20)  
12      of section 111(d).”.

13      (c) FAILURE TO COMPLY.—Section 112(c) of the  
14      Public Utility Regulatory Policies Act of 1978 (16 U.S.C.  
15      2622(c)) is amended—

16              (1) by striking “subsection (b)(2)” and insert-  
17      ing “subsection (b)”; and

18              (2) by adding at the end the following: “In the  
19      case of the standard established by paragraph (20)  
20      of section 111(d), the reference contained in this  
21      subsection to the date of enactment of this Act shall  
22      be deemed to be a reference to the date of enact-  
23      ment of that paragraph.”.

1 (d) PRIOR STATE ACTIONS.—Section 112 of the Pub-  
2 lic Utility Regulatory Policies Act of 1978 (16 U.S.C.  
3 2622) is amended by adding at the end the following:

4 “(g) PRIOR STATE ACTIONS.—Subsections (b) and  
5 (c) of this section shall not apply to the standard estab-  
6 lished by paragraph (20) of section 111(d) in the case of  
7 any electric utility in a State if, before the enactment of  
8 this subsection—

9 “(1) the State has implemented for such utility  
10 the standard concerned (or a comparable standard);

11 “(2) the State regulatory authority for such  
12 State or relevant nonregulated electric utility has  
13 conducted a proceeding to consider implementation  
14 of the standard concerned (or a comparable stand-  
15 ard) for such utility; or

16 “(3) the State legislature has voted on the im-  
17 plementation of such standard (or a comparable  
18 standard) for such utility.”.

19 (e) PRIOR AND PENDING PROCEEDINGS.—Section  
20 124 of the Public Utility Regulatory Policies Act of 1978  
21 (16 U.S.C. 2634) is amended by adding at the end the  
22 following: “In the case of the standard established by  
23 paragraph (20) of section 111(d), the reference contained  
24 in this section to the date of the enactment of this Act

1 shall be deemed to be a reference to the date of enactment  
2 of such paragraph (20).”.

3 **SEC. 3. COORDINATION OF PROGRAMS.**

4       To the maximum extent practicable, the Secretary of  
5 Energy shall ensure that the funding and administration  
6 of the different offices within the Grid Modernization Ini-  
7 tiative of the Department of Energy and other programs  
8 conducting energy storage research are coordinated and  
9 streamlined.

○