

118TH CONGRESS
2D SESSION

H. R. 7348

To interconnect the Electric Reliability Council of Texas to its neighbors,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2024

Mr. CASAR (for himself, Mr. CARTER of Louisiana, Mr. CASTRO of Texas, Mr. CLEAVER, Ms. CROCKETT, Mr. DOGGETT, Ms. ESCOBAR, Mr. FROST, Mr. ROBERT GARCIA of California, Ms. GARCIA of Texas, Mr. GREEN of Texas, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. NORTON, Mr. HUFFMAN, Ms. OMAR, Mrs. RAMIREZ, and Ms. TLAIB) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To interconnect the Electric Reliability Council of Texas
to its neighbors, 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 “Connect the Grid Act”.

5 **SEC. 2. JURISDICTION WITH RESPECT TO ERCOT.**

6 (a) APPLICATION OF PART.—Section 201(b)(2) of
7 the Federal Power Act (16 U.S.C. 824(b)(2)) is amended
8 by—

1 (1) striking “210, 211, 211A, 212” the second
2 place it appears; and

3 (2) striking “an electric utility or other entity”
4 and inserting “any entity that is otherwise exempt
5 under section 201(f)”.

6 (b) PUBLIC UTILITY DEFINITION.—Section 201(e) of
7 the Federal Power Act (16 U.S.C. 824(e)) is amended by
8 striking “210, 211, 211A, 212,”.

9 (c) REPEAL OF ERCOT EXEMPTIONS.—

10 (1) Section 212 of the Federal Power Act (16
11 U.S.C. 824k) is amended by striking subsection (k).

12 (2) Section 216 of the Federal Power Act (16
13 U.S.C. 824p) is amended by striking subsection (k).

14 (3) Section 217 of the Federal Power Act (16
15 U.S.C. 824q) is amended by striking subsection (h).

16 (4) Section 220 of the Federal Power Act (16
17 U.S.C. 824t) is amended by striking subsection (f).

18 (d) TECHNICAL CONFERENCE.—Not later than 6
19 months after the date of enactment of this Act, the Com-
20 mission shall convene a technical conference to assist enti-
21 ties affected by the amendments made by this section with
22 compliance with any requirements pursuant to such
23 amendments, including by publishing the steps necessary
24 for such compliance.

1 **SEC. 3. ELECTRIC RELIABILITY.**

2 (a) AMENDMENTS.—Section 215 of the Federal
3 Power Act (16 U.S.C. 824o) is amended—

4 (1) in subsection (a)(3), by striking “enlarge
5 such facilities or to construct new transmission ca-
6 pacity or generation capacity” and inserting “con-
7 struct new generation capacity”; and

8 (2) in subsection (i)(2), by striking “or trans-
9 mission”.

10 (b) RELIABILITY STANDARD FOR TOTAL TRANSFER
11 CAPABILITY.—

12 (1) IN GENERAL.—Not later than 30 days after
13 the date of enactment of this Act, the Commission
14 shall order the Electric Reliability Organization to
15 submit to the Commission a proposed reliability
16 standard that requires minimum total transfer capa-
17 bility of—

18 (A) between 4.3 and 12.6 gigawatts be-
19 tween the area under functional control of
20 ERCOT and the area under functional control
21 of SPP;

22 (B) between 2.5 and 16.2 gigawatts be-
23 tween the area under functional control of
24 ERCOT and the area under functional control
25 of MISO; and

1 (C) between 2.6 and 7.9 gigawatts between
2 the area under functional control of ERCOT
3 and the Western Interconnection.

4 (2) CONTENTS.—The Commission may only ap-
5 prove a proposed reliability standard described in
6 paragraph (1) if such reliability standard—

7 (A) requires minimum total transfer capa-
8 bility as described in paragraph (1); and

9 (B) requires each of ERCOT and SPP,
10 ERCOT and MISO, and ERCOT and 1 or
11 more neighboring balancing authorities in the
12 Western Interconnection (as determined by the
13 Electric Reliability Organization), to jointly
14 submit, not later than 1 year after the date of
15 enactment of this Act, a plan that—

16 (i) designates 1 or more entities to
17 site and construct new transmission facili-
18 ties, or modify existing transmission facili-
19 ties, to achieve the applicable minimum
20 total transfer capability; and

21 (ii) includes a timeline for such siting
22 and construction or modification, which
23 timeline shall include that such siting and
24 construction or modification be completed
25 by January 1, 2035.

1 (3) PRIORITY.—Any plan for the siting and
2 construction or modification of transmission facili-
3 ties described in paragraph (2)(B) shall prioritize—

4 (A) use of grid-enhancing technologies;

5 (B) use of existing rights-of-ways, such as
6 highways and railroads, to site and construct
7 new transmission facilities;

8 (C) siting and construction of new trans-
9 mission facilities on degraded land, including
10 sites on the National Priorities List, brownfield
11 sites, landfills, abandoned mine land, and con-
12 taminated or abandoned agricultural lands;

13 (D) siting and construction of new trans-
14 mission facilities that expands access to renew-
15 able energy sources, including wind, solar, and
16 geothermal sources;

17 (E) providing meaningful community in-
18 volvement opportunities, including conducting
19 outreach to—

20 (i) environmental justice communities,
21 including conducting planning meetings,
22 set at times and places to maximize the
23 number of community members who can
24 conveniently attend, with appropriate serv-
25 ices, including translation and interpreting

1 services and virtual attendance, in such en-
2 vironmental justice communities;

3 (ii) Tribal and Indigenous Commu-
4 nities;

5 (iii) Tribal Governments; and

6 (iv) relevant labor organizations; and

7 (F) the use of registered apprenticeship
8 programs and prevailing wages, as determined
9 by the Secretary of Labor in accordance with
10 subchapter IV of chapter 31 of title 40, United
11 States Code.

12 (4) ENVIRONMENTAL REVIEW.—Any project to
13 site, construct, or modify transmission facilities that
14 is conducted to comply with the reliability standard
15 described in paragraph (1) shall be subject to the re-
16 quirements of the National Environmental Policy
17 Act of 1969 (42 U.S.C. 4321 et seq.) and the En-
18 dangered Species Act of 1973 (16 U.S.C. 1531 et
19 seq.).

20 (c) CONSIDERATION FOR NATIONAL INTEREST
21 ELECTRIC TRANSMISSION CORRIDOR.—In carrying out
22 section 216 of the Federal Power Act (16 U.S.C. 824p),
23 the Secretary of Energy shall consider designating as a
24 national interest electric transmission corridor any area

1 in which transmission facilities will be sited and con-
2 structed or modified pursuant to this section.

3 **SEC. 4. INCREASED BORROWING AUTHORITY UNDER THE**
4 **TRANSMISSION FACILITATION PROGRAM.**

5 Section 40106(d)(2) of the Infrastructure Investment
6 and Jobs Act (42 U.S.C. 18713(d)(2)) is amended by
7 striking “\$2,500,000,000” and inserting
8 “\$13,500,000,000”.

9 **SEC. 5. STUDY ON BENEFITS OF INTERCONNECTION WITH**
10 **MEXICO.**

11 Not later than one year after the date of enactment
12 of this Act, the Secretary of Energy shall conduct a study
13 and submit to Congress a report on the reliability, climate,
14 and cost benefits of interconnection of facilities for the
15 generation, transmission, and sale of electric energy with
16 such facilities in Mexico and the siting and construction,
17 or modification, of such facilities that will bring the most
18 cumulative benefits.

19 **SEC. 6. DEFINITIONS.**

20 In this Act:

21 (1) **ABANDONED MINE LAND.**—The term
22 “abandoned mine land” means land, water, or a wa-
23 tershed that is contaminated or scarred by extrac-
24 tion, beneficiation, or processing of ores or minerals

1 (which may include phosphate, but does not include
2 coal).

3 (2) BROWNFIELD SITE.—The term “brownfield
4 site” has the meaning given such term in section
5 101(39) of the Comprehensive Environmental Re-
6 sponse, Compensation, and Liability Act of 1980 (42
7 U.S.C. 9601(39)).

8 (3) COMMISSION.—The term “Commission”
9 means the Federal Energy Regulatory Commission.

10 (4) ELECTRIC RELIABILITY ORGANIZATION.—
11 The term “Electric Reliability Organization” has the
12 meaning given such term in section 215(a)(2) of the
13 Federal Power Act (16 U.S.C. 824o(a)(2)).

14 (5) ENVIRONMENTAL JUSTICE COMMUNITY.—
15 The term “environmental justice community” means
16 a community with significant representation of com-
17 munities of color, low-income communities, or Tribal
18 and Indigenous communities that experiences, or is
19 at risk of experiencing higher or more adverse
20 human health or environmental effects.

21 (6) ERCOT.—The term “ERCOT” means the
22 Electric Reliability Council of Texas.

23 (7) GRID-ENHANCING TECHNOLOGY.—The term
24 “grid-enhancing technology” means a solution that

1 increases the transfer capability of high-voltage
2 transmission facilities.

3 (8) MISO.—The term “MISO” means the
4 Midcontinent Independent System Operator trans-
5 mission organization.

6 (9) NATIONAL PRIORITIES LIST.—The term
7 “National Priorities List” means the National Prior-
8 ities List developed by the President in accordance
9 with section 105(a)(8)(B) of the Comprehensive En-
10 vironmental Response, Compensation, and Liability
11 Act of 1980 (42 U.S.C. 9605(a)(8)(B)).

12 (10) REGISTERED APPRENTICESHIP PRO-
13 GRAM.—The term “registered apprenticeship pro-
14 gram” means an apprenticeship registered under the
15 National Apprenticeship Act that meets the stand-
16 ards of subpart A of part 29, and part 30, of title
17 29, Code of Federal Regulations.

18 (11) RELIABILITY STANDARD.—The term “reli-
19 ability standard” has the meaning given such term
20 in section 215(a)(3) of the Federal Power Act (16
21 U.S.C. 824o(a)(3)).

22 (12) SPP.—The term “SPP” means the South-
23 west Power Pool transmission organization.

24 (13) TOTAL TRANSFER CAPABILITY.—The term
25 “total transfer capability” has the meaning given

1 such term in section 37.6(b)(1)(vi) of title 18, Code
2 of Federal Regulations (as in effect on the date of
3 enactment of this Act).

4 (14) TRANSMISSION FACILITY.—The term
5 “transmission facility” means a facility that is used
6 for the transmission of electric energy in interstate
7 commerce, including transmission lines.

8 (15) TRANSMISSION ORGANIZATION.—The term
9 “transmission organization” has the meaning given
10 such term in section 215(a)(6) of the Federal Power
11 Act (16 U.S.C. 824o(a)(6)).

12 (16) TRIBAL AND INDIGENOUS COMMUNITY.—
13 The term “Tribal and Indigenous community”
14 means a population of people who are members of—

15 (A) a federally recognized Indian Tribe;

16 (B) a State-recognized Indian Tribe;

17 (C) an Alaska Native or Native Hawaiian
18 community or organization; or

19 (D) any other community of Indigenous
20 people located in a State.

21 (17) TRIBAL GOVERNMENT.—The term “Tribal
22 Government” means the governing body of an In-
23 dian Tribe.

24 (18) WESTERN INTERCONNECTION.—The term
25 “Western Interconnection” means the synchronously

1 operated electric transmission grid located in the
2 western part of North America, including parts of
3 Montana, Nebraska, New Mexico, South Dakota,
4 Texas, Wyoming and Mexico and all of Arizona,
5 California, Colorado, Idaho, Nevada, Oregon, Utah,
6 Washington and the Canadian Provinces of British
7 Columbia and Alberta.

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