

118TH CONGRESS
2D SESSION

H. R. 7595

To amend the Tennessee Valley Authority Act to provide for further transparency of the Tennessee Valley Authority, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2024

Mr. COHEN (for himself and Mr. BURCHETT) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Tennessee Valley Authority Act to provide for further transparency of the Tennessee Valley Authority, 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 “TVA Increase Rate
5 of Participation Act” or the “TVA IRP Act”.

6 **SEC. 2. OFFICE OF PUBLIC PARTICIPATION.**

7 The Tennessee Valley Authority Act of 1933 (16
8 U.S.C. 831k–1) is amended by inserting after section 12a
9 the following:

1 **“SEC. 12b. OFFICE OF PUBLIC PARTICIPATION.**

2 “(a) ESTABLISHMENT.—There is established in the
3 Corporation an Office of Public Participation to engage
4 with the public through direct outreach and education to
5 facilitate greater understanding of the processes of the
6 Authority and solicit broader participation in matters of
7 the Authority affecting the public.

8 “(b) HIRING.—Hiring authority for the Office of
9 Public Participation shall lay with the Board and such au-
10 thority may not be delegated to Corporation staff.

11 “(c) DUTIES.—The Office of Public Participation es-
12 tablished under subsection (a) shall—

13 “(1) act as a liaison to members of the public
14 affected by and interested in Corporation pro-
15 ceedings, by providing ongoing process information
16 on individual proceedings and responding to requests
17 for technical assistance;

18 “(2) coordinate with other program offices of
19 the Corporation to improve, or, as appropriate, make
20 recommendations to improve processes in a manner
21 responsive to public input, with the goal of ensuring
22 processes are inclusive, fair, and easy to navigate;
23 and

24 “(3) with public participation and feedback,
25 create and facilitate a process not later than 1 year
26 after the date of enactment of this section, for

1 meaningful and open public engagement in the
2 Authority’s integrated resource planning process, in-
3 cluding opportunities for intervention, discovery,
4 filed comments or testimony, and an evidentiary
5 hearing.

6 “(d) PUBLIC PARTICIPATION IN INTEGRATED RE-
7 SOURCE PLANNING PROCESS.—The process required
8 under subsection (b)(3) shall include—

9 “(1) a public comment period that begins not
10 later than 100 days before release of a draft of an
11 integrated resource plan and ends on the last day of
12 the evidentiary hearing for such plan; and

13 “(2) a requirement for a response to any re-
14 quest for discovery from an intervenor not later than
15 15 days after such request is submitted.”.

16 **SEC. 3. INTEGRATED RESOURCE PLAN.**

17 (a) IN GENERAL.—In drafting an integrated resource
18 plan pursuant to section 113 of the Energy Policy Act
19 of 1992 (16 U.S.C. 831m–1), the Board of Directors of
20 the Tennessee Valley Authority shall—

21 (1) oversee the process for meaningful and open
22 public engagement in the integrated resource plan-
23 ning process established under section 12b of the
24 Tennessee Valley Authority Act of 1933 (as added

1 by this Act), including presiding over any evidentiary
2 hearing required under such process;

3 (2) include in such plan—

4 (A) a long-term forecast of the Authority’s
5 sales and peak demand under various reason-
6 able scenarios;

7 (B) a summary of electrical transmission
8 investments planned by the Authority;

9 (C) resource portfolios developed with the
10 purpose of fairly evaluating the range of de-
11 mand-side and supply-side technologies and
12 services available to meet the Authority’s serv-
13 ice obligations; and

14 (D) sensitivity analysis related to fuel
15 costs, environmental regulations, electrification,
16 distributed energy resources, and other uncer-
17 tainties or risks;

18 (3) not later than 100 days before the public
19 release of a draft of the plan, provide to the public
20 the modeling assumptions used in developing such a
21 plan, including costs and constraints on the model;

22 (4) provide in such draft plan details of how
23 and where public input informed the plan;

24 (5) evaluate whether the draft plan takes into
25 account the features required under section

1 113(b)(2) of the Energy Policy Act of 1992 (16
2 U.S.C. 831m–1); and

3 (6) issue a decision to approve, deny, or require
4 modifications to such draft plan as necessary based
5 on the evaluation under paragraph (5) and public
6 input provided through the public comment period
7 and evidentiary hearing required under section 12b
8 of the Tennessee Valley Authority Act of 1933 (as
9 added by this Act).

10 (b) TENNESSEE VALLEY AUTHORITY LEAST-COST
11 PLANNING PROGRAM.—Section 113(b)(2)(A) of the En-
12 ergy Policy Act of 1992 (16 U.S.C. 831m–1) is amended
13 by inserting “resilience, extreme weather risk, impacts to
14 public health,” after “dispatchability”.

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