

Testimony of

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“Assuring Abundant, Reliable American Energy to Power Innovation”

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Chairman Latta, Ranking Member Castor, and Members of the Subcommittee:

My name is David Morenoff. I appreciate the opportunity to appear before you today as a member of the staff of the Federal Energy Regulatory Commission (Commission).

I currently serve as the Commission's Acting General Counsel. I am honored to have served in senior roles in the Commission's Office of the General Counsel since 2010. The views I express today are my own and are not necessarily those of the Commission or of any individual Commissioner.

The Commission's jurisdiction covers a range of vital, energy-related responsibilities. For example, pursuant to the Federal Power Act and the Natural Gas Act, it is the Commission's responsibility to ensure that rates for the wholesale sale and transmission of electricity, as well as the transportation of natural gas by pipeline, in interstate commerce are just and reasonable. The Commission also is responsible for overseeing the reliability of the Nation's bulk power system. In addition, the Commission is responsible for siting needed energy infrastructure, including natural gas pipelines and liquified natural gas and hydroelectric facilities. Through these authorities, the Commission helps to ensure that our country has a reliable and affordable supply of energy.

These statutory responsibilities align with the themes of the proposed legislation that is the subject of today's hearing. My colleague Terry Turpin, Director of the

Commission's Office of Energy Projects, is addressing the subset of those bills related to infrastructure permitting. I am addressing the subset of those bills related to the reliability and affordability of electric power.

Driven in part by the demands of emerging large loads such as data centers, our country is experiencing rapid growth of electric load unlike anything seen in at least several decades. To not only meet that growth, but also do so in an affordable manner, it is important to both interconnect new generation resources expeditiously and retain existing generating resources that are needed for reliability but considering retirement. Commission Chairman Mark C. Christie, whom President Trump designated as Chairman in January 2025, has emphasized those trends and related concerns throughout his tenure at the Commission, including in testimony before this Subcommittee highlighting the potential for dire consequences in terms of the reliability of the country's electric grid.

The Commission is taking action on these pressing issues. For example, in July 2023, the Commission unanimously approved Order No. 2023, which reformed the rules governing the interconnection of new generation resources. Among other changes, Order No. 2023 increases efficiency by requiring transmission providers to conduct interconnection studies encompassing numerous proposed generating facilities, rather than separate studies for each individual generating facility. Order No. 2023 also establishes deadlines for transmission providers to complete interconnection studies, as well as penalties for where transmission providers fail to complete those studies on time. In addition, Order No. 2023 establishes requirements, including financial deposits and

site control conditions, for interconnection customers to enter and remain in the interconnection queue. To date, the Commission has acted on more than 80 percent of transmission providers' filing in compliance with Order No. 2023, within one year of the May 2024 deadline to submit those filings.

More recently, the Commission approved proposals from the grid operators for several regions to expedite interconnection for generation resources that are more likely to be constructed and that will meet a region's needs, as well as proposals to account for how various types of generation resources contribute differently to a region's electric capacity. The Commission also has announced a technical conference for June 4th and 5th, 2025, to discuss the resource adequacy challenges facing several regions and the constructs by which those regions approach and address those challenges.

Additionally, the Commission continues to protect the reliability of the bulk power system by fulfilling its statutory obligation to oversee the development of, and compliance with, mandatory reliability standards. Coordinating with the Electric Reliability Organization as required by the Federal Power Act, the Commission in the past year has approved standards addressing issues such as generator winterization, supply chain risk management, and internal network security monitoring.

Several bills that are the subject of today's hearing address similar reliability challenges, ranging from the premature retirement of existing, dispatchable generation resources without sufficient time to ensure that adequate replacement solutions are in

place, to frustratingly slow interconnection of new generation resources, to the potential for Federal agency actions that do not adequately account for reliability concerns. If Congress determines that such challenges warrant providing further direction to the Commission and authorizes further tools for the Commission's use in addressing those challenges, then the Commission stands ready to take on those additional responsibilities.

Thank you for the invitation to testify before the Subcommittee today. I would be happy to answer any questions you may have.