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ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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May 19, 2026

The Honorable David Rosner
Commissioner
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Dear Commissioner Rosner:

Thank you for appearing before the Subcommittee on Energy on Tuesday, February 3, 2026, to testify at the hearing entitled “Oversight of FERC: Advancing Affordable and Reliable Energy for All Americans.”

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Wednesday, June 3, 2026. Your responses should be mailed to Seth Ricketts Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed to Seth.Ricketts@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Robert E. Latta
Chairman
Subcommittee on Energy

cc: Kathy Castor, Ranking Member, Subcommittee on Energy

Attachment

Additional Questions for the Record

The Honorable Brett Guthrie (R-KY)

1. It takes time to build reliable generation and infrastructure upgrades, yet these are what people need for a more reliable system and what the Tech Industry needs in the race for AI dominance. How do you see harnessing the tech industry interest and resources in speed to power with the imperative to ensure affordability?

The Honorable Bob Latta (R-OH)

1. FERC maintains permitting authority for interstate natural gas pipelines but has a very limited and targeted role in permitting interstate transmission lines. Some policy makers and advocates have called for “permitting parity” between how pipelines and transmission lines are treated. However, this “parity” argument fails to consider the fundamental differences between the bulk power system and the interstate natural gas pipeline network.

Will you respond to the nuances between pipelines and the electric transmission system in terms of resource planning, engineering, and cost allocation considerations and how might a state’s visibility into their own electric infrastructure better inform state permitting authority compared to a federal takeover?

2. We know the National Environmental Policy Act (NEPA) has historically been a significant impediment to infrastructure development, such as pipelines. However, I understand FERC has made significant improvements to the NEPA process that has cut down review timelines by upwards of 40 percent. This is important work as evidenced by natural gas demand across the country during last week’s winter storm. Will you discuss the commission’s work to reduce NEPA burdens? How can Congress help reduce duplicative reviews?

The Honorable Mariannette Miller-Meeks (R-IA)

1. The grid is increasingly constrained, and grid congestion is costing ratepayers billions annually while projects sit in queues. Electricity affordability is now a kitchen table discussion for hardworking Americans.

We know that grid enhancing technologies like advanced conductors, reconductoring, dynamic line ratings, and others have been successfully deployed in across the country.

Order 1920 requires transmission planners to "consider" grid-enhancing technologies. In your view, what does "consider" mean? Does it mean check a box and move on? What should utilities be required to demonstrate and justify when choosing more expensive options?

- a. What can be done to make utilities do more than just "consider"?

2. Wholesale markets and competition deliver billions of dollars in savings annually by promoting competition and integrating more efficient resources. Our wholesale markets were designed for a world of stable baseload generation, predictable load growth, and occasional weather events.

That is no longer the case. We continue to see more Out of Market actions to address short-term issues.

What aspects of wholesale electricity markets are working well today? And where do you see the biggest opportunities for reform to ensure markets send accurate price signals that attract investment in cost-effective, reliable technologies?

3. February's hearing focused on whether FERC is helping us meet our economic and national security goals while ensuring affordable rates to all customers. Additions and upgrades to the electrical transmission system, which you regulate, are necessary to meet those goals, but also represent a significant percentage of the increase in customer bills. What concrete steps are you taking to ensure customer affordability in the face of this challenge?
4. The whole of the federal government and the energy industry are focused on speed to power to allow new large loads, primarily data centers, to interconnect and operate as quickly as possible. While interconnecting these large load quickly is a national security and economic imperative, they bring with them new and not well understood reliability risks to the bulk electric system. Ignoring these reliability risks could cost customers significantly in the future. Please explain what actions FERC can take to ensure that large load interconnection processes are not jeopardizing reliability.
5. At the January Commission meeting, Chairman Swett praised MISO's Expedited Resource Addition Study or ERAS process as providing a framework for expedited generator interconnection to address urgent resource adequacy needs. As you work towards final action on the Department of Energy's Large Load Interconnection ANOPR, how do you plan to support flexibility in compliance with any rule such as leveraging effective, regionally developed solutions like MISO's ERAS process and Expedited Project Review transmission planning process?
6. 3 coal plants in the MISO region have now received Section 202(c) orders from the Secretary of Energy to continue operating past their retirement dates. Their owners have proposed cost allocations to FERC to recover the net costs of keeping those plants open across broad swaths of the MISO footprint. Please explain what the Commission is doing to ensure that those costs are prudently incurred and that consistent with cost causation only those who benefit from the plants are allocated costs.
7. You mentioned the acceleration in energy demand we're experiencing. FERC has statutory responsibility for bulk power system reliability through your oversight of NERC. Has NERC or have regional transmission organizations raised concerns with

the Commission about resource adequacy or the availability of dispatchable generation to meet peak demand, particularly given the surge in data center loads?

- a. In your oversight of wholesale electricity markets under FERC's jurisdiction, have you observed changes in the composition of resources participating in capacity markets, particularly regarding the balance between dispatchable baseload resources and intermittent generation?
- b. Based on your experience observing FERC's regulatory approach during different periods, do you believe the Commission's current regulatory framework is better positioned to approve the natural gas infrastructure and transmission capacity necessary to meet the projected demand increase while maintaining the grid reliability standards FERC is charged with protecting?

The Honorable Troy Balderson (R-OH)

1. Ohio and other states across the PJM region are facing rapidly accelerating electricity demand - particularly from data center growth. The White House and regional PJM governors recently endorsed a "Statement of Principles" urging PJM to conduct a Reliability Backstop Auction to bring new generation online quickly. I believe President Trump and this administration deserve credit for bringing these parties together so we can win the AI race while also protecting ratepayers and ensuring our constituents have access to reliable, affordable energy.

As PJM and FERC work together on this backstop auction, what changes to existing PJM policies or FERC practices may be needed to ensure residential ratepayers are protected? And will FERC evaluate whether this approach appropriately allocates costs so that data centers pay their fair share and costs are not shifted to households?

The Honorable Randy Weber (R-TX)

1. How did FERC determine that the prior cost thresholds were no longer realistic when it temporarily increased blanket certificate caps? And what evidence showed they were constraining timely infrastructure upgrades?
 - a. How were outdated cost thresholds affecting the ability of pipeline operators to replace aging infrastructure, enhance safety, and respond to reliability needs?
 - b. Can FERC provide examples of projects that were delayed or pushed into full certificate review solely due to obsolete cost caps?
2. Does FERC believe the new cost caps are sufficient over the long term, or will further regulatory adjustments be needed to avoid recurring waivers?

3. Does FERC have a long-term plan to comprehensively update its blanket certificate regulations?
 - a. FERC has already opened an inquiry into modernizing the blanket certificate program. When do you expect to act in that proceeding, and should stakeholders anticipate a Notice of Proposed Rulemaking in this calendar year to comprehensively update the blanket certificate regulations?
 - b. If not, what is FERC's timeline and sequencing for the next steps?

The Honorable Frank Pallone, Jr. (D-NJ)

1. A 2024 report indicated that transmission spending is sharply increasing largely due to low-voltage, local transmission projects, which may be less efficient and cost-effective than higher-voltage regional or interregional projects, and are subject to less scrutiny by FERC.¹ This issue has also come up repeatedly in technical conferences convened by the FERC.
 - a. How should FERC ensure a buildout of more efficient and cost-effective transmission lines over more costly and less-effective transmission lines?
 - b. What opportunities exist for FERC to add more transparency to the local transmission planning process?
 - c. Does FERC need support from Congress to ensure that transmission projects paid for by ratepayers are efficient and cost-effective?

The Honorable Kevin Mullin (D-CA)

1. Accurate load forecasting is paramount for planning future capacity. Please describe how FERC is working with RTOs to improve these forecasts, and if there are statutory limits to FERC's authority.

The Honorable Jennifer L. McClellan (D-VA)

1. In June 2023, Congress passed the Fiscal Responsibility Act, which required NERC to study total electric transfer capabilities between regions, and for FERC to issue a report to Congress on its conclusions on the study, and any potential legislative recommendations. NERC submitted its study, which called for a 35 gigawatt increase in total interregional transfer capability, to FERC in November 2024, and we are awaiting FERC's report, which is due to us by February 25.

Commissioner Rosner, I want to emphasize that while NERC's remit under the law is limited to only reliability matters, FERC has a responsibility to craft rates and practices that ensure "just and reasonable" electricity prices – so any

¹ <https://rmi.org/insight/mind-the-regulatory-gap/>

recommendations to Congress should account for the full suite of benefits that could result from increasing total interregional electric transfer capabilities.

- a. Can you preview what recommendations FERC will submit in its report to Congress?
- b. While waiting for Congress to act, what can FERC do on its own to increase interregional transmission deployment?