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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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July 28, 2026

The Honorable Mark C. Christie
Director, Center on Energy Law and Policy
William & Mary Law School
204 Howard Street
Ashland, Virginia 23005

Dear Mr. Christie:

Thank you for appearing before the Subcommittee on Energy on Wednesday, May 13, 2026, to testify at the hearing entitled "Wires, Rates, and States: Permitting Transmission for Reliable and Affordable Power."

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 Tuesday, August 11, 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 Bob Latta (R-OH)

1. People often tout the interregional transfer capacity report from NERC as evidence of the benefits of interregional transmission. You were Chair of FERC at the time and may have a different opinion. What was the conclusion of this report and what should Congress take away from its findings?

2. Some stakeholders who advocate for big transmission buildout to connect intermittent energy sources say they are cheaper, typically citing Levelized Cost of Electricity, or LCOE, rather than the full cost of delivered power. Does this view fully account for the costs associated with weather dependent resource generation?

3. FERC Order 1000, and continued into Order 1920, allows transmission planning based on public policies of federal, state, or local entities. For state and local policies in particular, I'm concerned that this allows neighboring states to be footing the bill for transmission infrastructure needed because of policy decisions where captive ratepayers have no say in the political process.
    a. How does planning transmission based on public policy requirements impact reliability and affordability of the bulk power system?
    b. Would removing public policy as a driver of transmission needs lead to a more reliable and affordable system?

4. Transmission costs have steadily increased over the last two decades while fuel and generation costs have plummeted, largely because of the abundance of dispatchable fuels like natural gas.
    a. In your opinion, why has transmission spending far outpaced fuel and generation costs?
    b. How, if at all, have some utilities taken advantage of regulatory processes to build excessive transmission to expand their rate base?
    c. How transparent is utility spending on transmission and how transparent is the current capacity and utilization of existing transmission lines?

5. Across RTO regions, states have varying degrees of input over the cost allocation process for interstate transmission. Under Order 1920-A, the Commission sought to bolster the states' role in this process.
    a. How can a state positively impact cost allocation discussions in these regions?
    b. Should states have more of a say in the cost allocation process?

The Honorable Nick Langworthy (R-NY)

1. Do you believe stringent state Renewable Portfolio Standards and renewable-energy carve-outs serve to increase electricity costs for ratepayers by requiring utilities and load-serving entities to procure mandated resources or credits instead of relying on the lowest-cost reliable generation available?

2. Should utilities and states be required to provide clearer disclosure of RPS, REC, and SREC compliance costs on customer bills, so ratepayers can understand how much they are paying for state renewable mandates?

3. Should FERC more closely examine the wholesale-market effects of stringent state RPS laws where those policies may affect capacity-market outcomes, resource-retention decisions, or the ability of dispatchable generators to remain economic?

4. Do state RPS, REC, and SREC mandates risk distorting market signals by subsidizing intermittent or preferred resources while making it harder for dispatchable coal and gas plants to recover the fixed costs needed to remain available for reliability?

5. Several states, including New Jersey, Maryland, Massachusetts, Pennsylvania, and D.C., have RPS or renewable-credit programs that restrict eligibility to in-state or geographically preferred resources. If those restrictions prevent comparable out-of-state resources from competing, do they raise concerns about reduced competition, higher compliance costs, and harm to ratepayers?

6. Where state RPS, REC, or SREC programs restrict compliance eligibility based on geography and appear to raise consumer costs, should FERC or the Department of Justice examine whether those programs conflict with the Dormant Commerce Clause?

7. Do aggressive state renewable mandates contribute to the premature retirement of traditional fossil-fuel generation by reducing the economic viability of dispatchable coal and gas plants? And if so, how does that affect grid reliability when replacement firm capacity is not yet available?

8. Do stringent RPS regulations risk suppressing or idling lower-cost traditional generation during certain hours, while still requiring fossil resources or other backup capacity to remain available when intermittent wind and solar resources are not producing? How does that affect consumer costs? Is this a factor in why PJM capacity auctions have produced historically high clearing prices?

9. As a general matter, should state renewable-credit programs be designed to preserve open interstate competition, or should states be permitted to use those programs to favor local generators over comparable out-of-state resources?

The Honorable Mariannette Miller-Meeks (R-IA)

1. You describe a state regulator learning through experience that sometimes generation is the answer, sometimes transmission, sometimes distribution, and that each case depends on its facts. When you were in those proceedings, were the parties evaluating each of those options working from a common definition of cost effectiveness? Or does the vocabulary and the methodology change depending on which type of asset is on the table and who is in the room?

2. You have sat on both sides of this relationship, managing retail rates as a state regulator and overseeing wholesale markets as FERC Chairman. In your experience, when transmission investment decisions are being made at the wholesale level, do the incentives of the parties involved naturally produce outcomes that serve retail consumers, or does something get lost in that translation between wholesale planning and the retail bill?

3. How can we identify beneficial interregional projects? My understanding is there is no interregional planning. Even if, as you suggest, not every interregional project will benefit consumers, how do you expect to identify the ones that will under current planning processes? If this planning gap means we are missing out on the most cost-effective transmission investments, isn't it the job of this Congress to ensure that isn't happening?

The Honorable Michael Rulli (R-OH)

1. When done right, data center development can strengthen the electric grid, but it is essential that households and small businesses are protected from increased power bills as the U.S. expands electric infrastructure to meet rising demand. In Ohio, AEP has demonstrated leadership in this model, developing a large load tariff alongside SoftBank to construct an over $4 billion 765kV transmission line for their new Piketon data center campus. With this partnership, all costs are being covered by the developer rather than being passed on to Ohio's families and businesses.

   Given your experience with data center development, could you please identify some best practices for states and utilities to attract and manage large loads like data centers while safeguarding existing customers from increased power bills? Has the uptick in state "large load tariffs" helped residential and existing customers?

The Honorable Diana Harshbarger (R-TN)

1. As I understand it, FERC has played an important role in improving planning through Orders 890, 1000, and now 1920, but it has never directly reviewed or approved regional plans themselves.

   a. Should all planning be consumer-focused, will that avoid affordability mistakes?

The Honorable August Pfluger (R-TX)

1. Do you believe states are better positioned than the federal government to weigh local landowner concerns and routing decisions for major transmission infrastructure?

2. In your view, are policymakers sometimes too quick to default toward building new transmission instead of examining upgrades to existing infrastructure or generation closer to load?

3. While you were at FERC, then-Chairman Glick proposed a radical policy statement on natural gas that would establish the Commission as an environmental regulator. We're

already facing a reliability crisis because of the premature retirements of fossil fuel plants, but where would we be today if Washington Democrats' anti-energy wish list came to fruition?