

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6633**

OFFERED BY M .

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “High-Capacity Grid
3 Act”.

**4 SEC. 2. BEST-AVAILABLE TRANSMISSION CONDUCTOR
5 CLASS.**

6 The Federal Power Act is amended by inserting after
7 section 223 (16 U.S.C. 824w) the following:

**8 “SEC. 224. USE OF BEST-AVAILABLE TRANSMISSION CON-
9 DUCTORS.**

10 “(a) USE OF BEST-AVAILABLE TRANSMISSION CON-
11 DUCTORS.—In exercising its authority under sections 205
12 and 206, the Commission shall require that public utilities
13 use transmission conductors that are designated as part
14 of the best-available transmission conductor class when
15 carrying out covered projects.

16 “(b) REGULATIONS.—

1 “(1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this section, the Commis-
3 sion shall issue regulations to carry out this section.

4 “(2) INCLUSIONS.—In issuing regulations
5 under paragraph (1), the Commission shall—

6 “(A) establish, in consultation with the
7 Secretary of Energy, a methodology to des-
8 ignate, as part of the best-available trans-
9 mission conductors class, transmission conduc-
10 tors that—

11 “(i) provide the greatest feasible and
12 commercially available energy-carrying ca-
13 pacity at a given voltage level;

14 “(ii) provide the highest feasible and
15 commercially available electrical efficiency
16 at that voltage level; and

17 “(iii) provide the greatest feasible and
18 commercially available level of mechanical
19 performance, taking into account relevant
20 factors, including reliability, safety, and af-
21 fordability;

22 “(B) using such methodology, designate
23 transmission conductors as part of the best-
24 available transmission conductor class;

1 “(C) establish filing requirements for pub-
2 lic utilities to demonstrate compliance with the
3 regulations, including (as applicable) such infor-
4 mation and data the Commission determines
5 necessary to demonstrate project-specific im-
6 pacts described in subparagraph (D); and

7 “(D) provide that the requirement to use
8 transmission conductors that are designated as
9 part of the best-available transmission con-
10 ductor class not apply—

11 “(i) to carrying out any covered
12 project for which a public utility, prior to
13 the date of enactment of this section,
14 has—

15 “(I) filed for any State or Fed-
16 eral permit required to carry out the
17 covered project; or

18 “(II) procured any transmission
19 conductors;

20 “(ii) to the emergency replacement or
21 repair of transmission facilities necessary
22 to restore service following a natural dis-
23 aster, act of terrorism, or other event des-
24 ignated as an emergency by a relevant
25 Federal or State authority;

1 “(iii) if such use would violate a reli-
2 ability standard; or

3 “(iv) if the public utility carrying out
4 the covered project demonstrates such use
5 would negatively impact reliability, safety,
6 and affordability.

7 “(c) PERIODIC REVIEW AND UPDATES.—The Com-
8 mission may, to reflect improvements in technology, peri-
9 odically review and update—

10 “(1) the methodology for designating trans-
11 mission conductors as part of the best-available
12 transmission conductor class; and

13 “(2) the designation of transmission conductors
14 as part of the best-available transmission conductor
15 class.

16 “(d) DEFINITIONS.—In this section:

17 “(1) BEST-AVAILABLE TRANSMISSION CON-
18 DUCTOR CLASS.—The term ‘best-available trans-
19 mission conductor class’ means a class of trans-
20 mission conductors that are designated as part of
21 the class pursuant to this section.

22 “(2) COMMISSION.—The term ‘Commission’
23 means the Federal Energy Regulatory Commission.

24 “(3) COVERED PROJECT.—The term ‘covered
25 project’ means—

1 “(A) the construction of a new trans-
2 mission facility subject to the jurisdiction of the
3 Commission under section 201(b) that includes
4 a transmission conductor; or

5 “(B) any major (as determined by the
6 Commission) modification, upgrade, replace-
7 ment, or reconductoring of an existing trans-
8 mission conductor subject to such jurisdiction.

9 “(4) RELIABILITY STANDARD.—The term ‘reli-
10 ability standard’ has the meaning given such term in
11 section 215.”.

