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(Original Signature of Member)

111TH CONGRESS  
1ST SESSION

**H. R.**

To amend title VI of the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard for certain electric utilities, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. MARKEY of Massachusetts (for himself and Mr. PLATTS) introduced the following bill; which was referred to the Committee on

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**A BILL**

To amend title VI of the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard for certain electric utilities, 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 “American Renewable  
5 Energy Act”.

1 **SEC. 2. FEDERAL RENEWABLE ELECTRICITY STANDARD.**

2 (a) IN GENERAL.—Title VI of the Public Utility Reg-  
3 ulatory Policies Act of 1978 (16 U.S.C. 2601 and fol-  
4 lowing) is amended by adding at the end the following:

5 **“SEC. 610. FEDERAL RENEWABLE ELECTRICITY STANDARD.**

6 “(a) DEFINITIONS.—For purposes of this section:

7 “(1) AFFILIATE.—The term ‘affiliate’ when  
8 used in relation to a person, means another person  
9 which owns or controls, is owned or controlled by, or  
10 is under common ownership or control with, such  
11 person, as determined under regulations promul-  
12 gated by the Secretary.

13 “(2) BIOMASS.—

14 “(A) IN GENERAL.—The term ‘biomass’  
15 means each of the following:

16 “(i) Cellulosic (plant fiber) organic  
17 materials from a plant that is planted for  
18 the purpose of being used to produce en-  
19 ergy.

20 “(ii) Nonhazardous, plant or algal  
21 matter that is derived from any of the fol-  
22 lowing:

23 “(I) An agricultural crop, crop  
24 byproduct or residue resource.

25 “(II) Waste such as landscape or  
26 right-of-way trimmings (but not in-

1 including municipal solid waste, recycla-  
2 ble postconsumer waste paper, paint-  
3 ed, treated, or pressurized wood, or  
4 wood contaminated with plastic or  
5 metals).

6 “(iii) Animal waste or animal byprod-  
7 ucts, including products of animal waste  
8 digesters.

9 “(B) BIOMASS FROM FEDERAL LANDS.—

10 “(i) COVERED MATERIALS.—With re-  
11 spect to organic material removed from  
12 Federal land, the term ‘biomass’ covers  
13 only organic material from—

14 “(I) ecological forest restoration;

15 “(II) pre-commercial thinnings;

16 “(III) brush;

17 “(IV) mill residues; and

18 “(V) slash.

19 “(ii) EXCLUSION OF CERTAIN  
20 LANDS.—Notwithstanding clause (i), mate-  
21 rial or matter that would otherwise qualify  
22 as biomass are not included in the term  
23 ‘biomass’ if it is located on Federal land in  
24 the following categories:

1                   “(I) Federal land containing old  
2 growth forest or late successional for-  
3 est, unless the Secretary of the Inte-  
4 rior or the Secretary of Agriculture  
5 (whichever has administrative jurisdic-  
6 tion over such land) determines that  
7 the removal or organic material from  
8 such land is appropriate for the appli-  
9 cable forest type and maximizes the  
10 retention of late-successional and  
11 large and old growth trees, late suc-  
12 cessional and old growth forest struc-  
13 ture, and late-successional and old  
14 growth forest composition.

15                   “(II) Federal land on which the  
16 removal of vegetation is prohibited, in-  
17 cluding components of the National  
18 Wilderness Preservation System.

19                   “(III) Wilderness Study Areas.

20                   “(IV) Inventoried Roadless  
21 Areas.

22                   “(V) Units of the National Land-  
23 scape Conservation System.

24                   “(VI) National Monuments.

1           “(3) DISTRIBUTED GENERATION FACILITY.—

2           The term ‘distributed generation facility’ means a  
3           facility that—

4                   “(A) generates renewable electricity other  
5                   than by means of combustion;

6                   “(B) primarily serves 1 or more electricity  
7                   consumers at or near the facility site; and

8                   “(C) is no larger than 2 megawatts in ca-  
9                   pacity.

10           “(4) FEDERAL ALTERNATIVE COMPLIANCE PAY-  
11           MENT.—The term ‘Federal alternative compliance  
12           payment’ means a payment, to be submitted in lieu  
13           of 1 Federal renewable electricity credit, pursuant to  
14           subsection (c)(3).

15           “(5) FEDERAL LAND.—The term ‘Federal land’  
16           means land owned by the United States and under  
17           the administrative jurisdiction of the Secretary of  
18           the Interior or the Secretary of Agriculture, other  
19           than land held in trust for an Indian or Indian tribe.

20           “(6) FEDERAL RENEWABLE ELECTRICITY  
21           CREDIT.—The term ‘Federal renewable electricity  
22           credit’ means a credit, representing one kilowatt  
23           hour of renewable electricity, issued pursuant to sub-  
24           section (d).

1           “(7) FUND.—The term ‘Fund’ means the Re-  
2           newable Electricity Deployment Fund established  
3           under subsection (f).

4           “(8) INVENTORIED ROADLESS AREA.—The  
5           term ‘Inventoried Roadless Area’ means one of the  
6           areas identified in the set of inventoried roadless  
7           areas maps contained in the Forest Service Roadless  
8           Areas Conservation, Final Environmental Impact  
9           Statement, Volume 2, dated November 2000.

10          “(9) QUALIFIED HYDROPOWER.—The term  
11          ‘qualified hydropower’ means—

12                 “(A) electricity generated solely from in-  
13                 creased efficiency achieved, or additions of ca-  
14                 pacity made, on or after January 1, 2001 at a  
15                 hydroelectric facility that was placed in service  
16                 before that date; or

17                 “(B) electricity generated from generating  
18                 capacity added on or after January 1, 2001 to  
19                 a dam that did not previously have the capacity  
20                 to generate electricity, provided that the Com-  
21                 mission certifies that—

22                         “(i) the dam was placed in service be-  
23                         fore the date of the enactment of this sec-  
24                         tion and was operated for flood control,  
25                         navigation, or water supply purposes and

1 did not produce hydroelectric power before  
2 January 1, 2001;

3 “(ii) the hydroelectric project installed  
4 on the dam is licensed by the Commission  
5 and meets all other applicable environ-  
6 mental, licensing, and regulatory require-  
7 ments, including applicable fish passage re-  
8 quirements; and

9 “(iii) the hydroelectric project in-  
10 stalled on the dam is operated so that the  
11 water surface elevation at any given loca-  
12 tion and time that would have occurred in  
13 the absence of the hydroelectric project is  
14 maintained, subject to any license require-  
15 ments that require changes in water sur-  
16 face elevation for the purpose of improving  
17 the environmental quality of the affected  
18 waterway.

19 “(10) RENEWABLE ELECTRICITY.—The term  
20 ‘renewable electricity’ means electricity generated  
21 from a renewable energy resource.

22 “(11) RENEWABLE ENERGY RESOURCE.—The  
23 term ‘renewable energy resource’ means each of the  
24 following:

25 “(A) wind energy;

1           “(B) solar energy;  
2           “(C) geothermal energy;  
3           “(D) combustion of biomass or landfill gas;  
4           “(E) qualified hydropower; or  
5           “(F) marine and hydrokinetic renewable  
6 energy, as that term is defined in section 632  
7 of the Energy Independence and Security Act  
8 of 2007 (42 U.S.C. 17211).

9           “(12) RETAIL ELECTRIC SUPPLIER.—

10           “(A) IN GENERAL.—The term ‘retail elec-  
11 tric supplier’ means, for any given year, an  
12 electric utility that sold not less than 1,000,000  
13 megawatt hours of electric energy to electric  
14 consumers for purposes other than resale dur-  
15 ing the preceding calendar year.

16           “(B) INCLUSIONS AND LIMITATIONS.—For  
17 purposes of determining whether an electric  
18 utility qualifies as a retail electric supplier  
19 under subparagraph (A)—

20           “(i) the sales of any affiliate of an  
21 electric utility to electric consumers for  
22 purposes other than resale shall be consid-  
23 ered to be sales of such electric utility; and

24           “(ii) sales by any electric utility to a  
25 parent company or to other affiliates of



1           such electric utility shall not be treated as  
2           sales to electric consumers.

3           “(13) RETAIL ELECTRIC SUPPLIER’S BASE  
4           AMOUNT.—The term ‘retail electric supplier’s base  
5           amount’ means the total amount of electric energy  
6           sold by the retail electric supplier, expressed in  
7           terms of kilowatt hours, to electric customers for  
8           purposes other than resale during the relevant cal-  
9           endar year, excluding electricity generated by—

10           “(A) a hydroelectric facility that is not  
11           qualified hydropower; or

12           “(B) combustion of municipal solid waste.

13           “(14) RETIRE AND RETIREMENT.—The terms  
14           ‘retire’ and ‘retirement’ with respect to a Federal re-  
15           newable electricity credit, means to disqualify such  
16           credit for any subsequent use under this section, re-  
17           gardless of whether the use is a sale, transfer, ex-  
18           change, or submission in satisfaction of a compliance  
19           obligation.

20           “(b) ESTABLISHMENT OF PROGRAM.—Not later than  
21           1 year after the date of enactment of this section, the Sec-  
22           retary shall, by regulation, establish a program to imple-  
23           ment and enforce the requirements of this section. In es-  
24           tablishing such program, the Secretary shall, to the extent  
25           practicable—

1           “(1) preserve the integrity, and incorporate best  
 2 practices, of existing State renewable electricity pro-  
 3 grams;

4           “(2) rely upon existing and emerging State or  
 5 regional tracking systems that issue and track non-  
 6 Federal renewable electricity credits; and

7           “(3) cooperate with the States to facilitate co-  
 8 ordination between State and Federal renewable  
 9 electricity programs and to minimize administrative  
 10 burdens and costs to retail electric suppliers.

11           “(c) ANNUAL COMPLIANCE REQUIREMENT.—

12           “(1) IN GENERAL.—For each of calendar years  
 13 2012 through 2039, each retail electric supplier  
 14 shall, not later than April 1 of the following calendar  
 15 year, submit to the Secretary a quantity of Federal  
 16 renewable electricity credits equal to the retail elec-  
 17 tric supplier’s base amount for the calendar year  
 18 multiplied by the required annual percentage set  
 19 forth in paragraph (2).

20           “(2) REQUIRED ANNUAL PERCENTAGE.—For  
 21 each of calendar years 2012 through 2039, the re-  
 22 quired annual percentage shall be as follows:

<b>“Calendar year</b>	<b>Required annual percentage</b>
2012 .....	6.0
2013 .....	6.0
2014 .....	8.5
2015 .....	8.5

<b>“Calendar year</b>	<b>Required annual percentage</b>
2016 .....	11.0
2017 .....	11.0
2018 .....	14.0
2019 .....	14.0
2020 .....	17.5
2021 .....	17.5
2022 .....	21.0
2023 .....	21.0
2024 .....	23.0
2025 through 2039 .....	25.0

1           “(3) ALTERNATIVE COMPLIANCE PAYMENTS.—

2           A retail electric supplier may satisfy the require-  
 3           ments of paragraph (1) in whole or in part by sub-  
 4           mitting in lieu of each Federal renewable electricity  
 5           credit, a payment equal to the lesser of—

6                     “(A) 200 percent of the average market  
 7                     value of a Federal renewable electricity credit  
 8                     for the previous compliance year, as determined  
 9                     by the Secretary; or

10                    “(B) 5 cents, adjusted on January 1 of  
 11                    each year following calendar year 2009 based  
 12                    on the Gross Domestic Product Implicit Price  
 13                    Deflator.

14           “(4) USE OF PAYMENTS.—Alternative compli-  
 15           ance payments submitted pursuant to paragraph (3)  
 16           shall be deposited in the Fund established under  
 17           subsection (f).

18           “(d) ISSUANCE OF FEDERAL RENEWABLE ELEC-  
 19           TRICITY CREDITS.—

1           “(1) CREDIT ISSUANCE.—The regulations pro-  
2           mulgated under subsection (b) shall include provi-  
3           sions governing the issuance, tracking, and retire-  
4           ment of Federal renewable electricity credits. Except  
5           as provided in paragraphs (2), (3), and (4) of this  
6           subsection, the Secretary shall issue to each gener-  
7           ator of renewable electricity, 1 Federal renewable  
8           electricity credit for each kilowatt hour of renewable  
9           electricity generated by such generator.

10           “(2) GENERATION FROM STATE RENEWABLE  
11           ELECTRICITY PROGRAMS USING CENTRAL PROCURE-  
12           MENT AND FROM STATE ALTERNATIVE COMPLIANCE  
13           PAYMENTS.—Where renewable electricity is gen-  
14           erated with the support of payments from a retail  
15           electric supplier pursuant to a State renewable elec-  
16           tricity program (whether through State alternative  
17           compliance payments or through payments to a  
18           State renewable electricity procurement fund or enti-  
19           ty), the Secretary shall issue Federal renewable elec-  
20           tricity credits to such retail electric supplier for the  
21           proportion of the relevant renewable electricity gen-  
22           eration that is attributable to the retail electric sup-  
23           plier’s payments, as determined pursuant to regula-  
24           tions issued by the Secretary. For any remaining  
25           portion of the relevant renewable electricity genera-

1       tion, the Secretary shall issue Federal renewable  
2       electricity credits to the generator, as provided in  
3       paragraph (1), provided that in no event shall more  
4       than 1 Federal renewable electricity credit be issued  
5       for the same kilowatt hour of electricity. In deter-  
6       mining how Federal renewable electricity credits will  
7       be apportioned among retail electric suppliers and  
8       generators in such circumstances, the Secretary  
9       shall consider information and guidance furnished by  
10      the relevant State or States.

11           “(3) CERTAIN POWER SALES CONTRACTS.—  
12      When a generator has sold renewable electricity to  
13      a retail electric supplier under a contract for power  
14      from a facility placed in service before the date of  
15      enactment of this section, and the contract does not  
16      provide for the determination of ownership of the  
17      Federal renewable electricity credits associated with  
18      such generation, the Secretary shall issue such Fed-  
19      eral renewable electricity credits to the retail electric  
20      supplier for the duration of the contract.

21           “(4) CREDIT MULTIPLIER FOR DISTRIBUTED  
22      GENERATION.—

23           “(A) IN GENERAL.—Except as provided in  
24      subparagraph (B), the Secretary shall issue 3  
25      Federal renewable electricity credits for each

1 kilowatt hour of renewable electricity generated  
2 by a distributed generation facility.

3 “(B) ADJUSTMENT.—Except as provided  
4 in subparagraph (C), not later than January 1,  
5 2014, and not less frequently than every 4  
6 years thereafter, the Secretary shall review the  
7 effect of this paragraph and shall, as necessary,  
8 reduce the number of Federal renewable elec-  
9 tricity credits per kilowatt hour issued under  
10 this paragraph, but not below 1, to ensure that  
11 such number is no higher than the Secretary  
12 determines is necessary to make distributed  
13 generation facilities cost competitive with other  
14 sources of renewable electricity generation.

15 “(C) FACILITIES PLACED IN SERVICE  
16 AFTER ENACTMENT.—For any distributed gen-  
17 eration facility placed in service after the date  
18 of enactment of this section, subparagraph (B)  
19 shall not apply for the first 10 years after date  
20 of enactment. For each year during such 10-  
21 year period, the Secretary shall issue the facil-  
22 ity the same number of Federal renewable elec-  
23 tricity credits per kilowatt hour as are issued to  
24 that facility in the year in which such facility  
25 is placed in service. After such 10-year period,

1 the Secretary shall issue Federal renewable en-  
2 ergy credits to the facility in accordance with  
3 the current multiplier as determined pursuant  
4 to subparagraph (B).

5 “(5) CREDITS BASED ON INCREMENTAL HY-  
6 DROPOWER.—For purposes of this subsection, the  
7 number of Federal renewable electricity credits  
8 issued for qualifying hydropower described in sub-  
9 section (a)(9)(A) shall be calculated—

10 “(A) based solely on the increase in aver-  
11 age annual generation directly resulting from  
12 the efficiency improvements or capacity addi-  
13 tions described in subsection (a)(9)(A); and

14 “(B) using the same water flow informa-  
15 tion used to determine a historic average an-  
16 nual generation baseline for the hydroelectric  
17 facility, as certified by the Secretary or by the  
18 Commission.

19 “(6) GENERATION FROM MIXED RENEWABLE  
20 AND NON-RENEWABLE RESOURCES.—If electricity is  
21 generated using both a renewable energy resource  
22 and an energy source that is not a renewable energy  
23 resource (as, for example, in the case of co-firing of  
24 biomass and fossil fuel), the Secretary shall issue  
25 Federal renewable electricity credits based on the

1 proportion of the electricity that is attributable to  
2 the renewable energy resource.

3 “(7) PROHIBITION AGAINST DOUBLE-COUNT-  
4 ING.—Except as provided in paragraph (4) of this  
5 subsection, the Secretary shall ensure that no more  
6 than 1 Federal renewable electricity credit will be  
7 issued for any kilowatt hour of renewable electricity  
8 and that no Federal renewable electricity credit will  
9 be used more than once for compliance with this sec-  
10 tion.

11 “(e) TRADING AND BANKING OF CREDITS.—

12 “(1) TRADING.—The lawful holder of a Federal  
13 renewable electricity credit may sell, exchange,  
14 transfer, submit for compliance in accordance with  
15 subsection (c), or submit such credit for retirement  
16 by the Secretary.

17 “(2) BANKING.—A Federal renewable elec-  
18 tricity credit may be submitted in satisfaction of the  
19 compliance obligation set forth in subsection (c) for  
20 the compliance year in which the credit was issued  
21 or for any of the 3 immediately subsequent compli-  
22 ance years. The Secretary shall retire any Federal  
23 renewable electricity credit that has not been sub-  
24 mitted under subsection (c) by the deadline for the



1 compliance year that is 3 years after the compliance  
2 year in which the credit was issued.

3 “(3) DELEGATION OF MARKET ADMINISTRA-  
4 TION.—The Secretary may delegate to one or more  
5 appropriate market-making entities the administra-  
6 tion of a Federal renewable electricity credit market  
7 for purposes of creating a transparent and efficient  
8 national market.

9 “(4) OVERSIGHT.—The Commission, in con-  
10 sultation with the Secretary and relevant Federal  
11 agencies, may prescribe such rules as the Commis-  
12 sioner determines necessary to ensure the trans-  
13 parency, fairness, and stability of the market in  
14 Federal renewable electricity credits and any deriva-  
15 tive instruments based on such credits.

16 “(f) RENEWABLE ELECTRICITY DEPLOYMENT  
17 FUND.—

18 “(1) IN GENERAL.—There is established in the  
19 Treasury of the United States a Renewable Elec-  
20 tricity Deployment Fund.

21 “(2) DEPOSITS.—All Federal alternative com-  
22 pliance payments submitted to the Secretary pursu-  
23 ant to subsection (c)(3) and civil penalties assessed  
24 under this section shall be deposited into the Fund.

25 “(3) USE.—

1           “(A) IN GENERAL.—Amounts deposited in  
2           the Fund shall be available exclusively for use  
3           by the Secretary, subject to appropriations, to  
4           make payments to retail electric suppliers in ac-  
5           cordance with subparagraph (B).

6           “(B) ALLOCATION.—Not later than May 1  
7           of each year from 2013 through 2040, the Sec-  
8           retary shall distribute amounts deposited in the  
9           Fund during the preceding 12-month period  
10          among the retail electric suppliers which have  
11          submitted Federal renewable electricity credits  
12          to the Secretary in total or partial compliance  
13          with their obligations under subsection (c) for  
14          the preceding calendar year. Each retail electric  
15          supplier shall receive a payment equal to the  
16          product of—

17                   “(i) the total payments made to all re-  
18                   tail electric suppliers under this subsection;  
19                   and

20                   “(ii) the quotient obtained by dividing  
21                   the quantity specified in subclause (I) by  
22                   the quantity specified in subclause (II):

23                           “(I) The quantity of Federal re-  
24                           newable electricity credits submitted  
25                           by the retail electric supplier for the

1 preceding calendar year pursuant to  
2 subsection (c).

3 “(II) The total quantity of Fed-  
4 eral renewable electricity credits sub-  
5 mitted by all retail electric suppliers  
6 for the preceding calendar year pursu-  
7 ant to subsection (c).

8 “(g) INFORMATION COLLECTION.—In accordance  
9 with section 13 of the Federal Energy Administration Act  
10 of 1974 (15 U.S.C. 772), the Secretary may require any  
11 retail electric supplier, renewable electricity generator, or  
12 such other entities as the Secretary deems appropriate, to  
13 provide any information the Secretary determines appro-  
14 priate to carry out this section.

15 “(h) ENFORCEMENT AND JUDICIAL REVIEW.—

16 “(1) CIVIL PENALTY.—If any person fails to  
17 comply with the requirements of subsection (c), such  
18 person shall be liable to pay to the Secretary a civil  
19 penalty equal to the product of—

20 “(A) double the Federal alternative compli-  
21 ance payment calculated under subsection  
22 (c)(3), and

23 “(B) the aggregate quantity of Federal re-  
24 newable electricity credits (or equivalent Fed-  
25 eral alternative compliance payments) that the

1 person failed to submit to the Secretary in vio-  
2 lation of the requirements of subsection (c).

3 “(2) ENFORCEMENT.—The Secretary shall as-  
4 sess a civil penalty under paragraph (1) in accord-  
5 ance with the procedures described in section 333(d)  
6 of the Energy Policy and Conservation Act of 1954  
7 (42 U.S.C. 6303).

8 “(3) JUDICIAL REVIEW.—Any person who will  
9 be adversely affected by a final action taken by the  
10 Secretary under this section, other than the assess-  
11 ment of a civil penalty under this subsection, may  
12 use the procedures for review described in section  
13 336(b) of the Energy Policy and Conservation Act  
14 (42 U.S.C. 6306). For purposes of this paragraph,  
15 references to a rule in section 336(b) of the Energy  
16 Policy and Conservation Act shall be deemed to refer  
17 also to all other final actions of the Secretary under  
18 this section other than the assessment of a civil pen-  
19 alty under this subsection.

20 “(i) SAVINGS PROVISIONS.—Nothing in this section  
21 shall—

22 “(1) diminish or qualify any authority of a  
23 State or political subdivision of a State to—

24 “(A) adopt or enforce any law or regula-  
25 tion respecting renewable electricity, including

1 programs that exceed the required amount of  
2 renewable electricity under this section, pro-  
3 vided that no such law or regulation may relieve  
4 any person of any requirement otherwise appli-  
5 cable under this section; or

6 “(B) regulate the acquisition and disposi-  
7 tion of Federal renewable electricity credits by  
8 retail electric suppliers located within the terri-  
9 tory of such State or political subdivision, in-  
10 cluding the authority to require such retail elec-  
11 tric supplier to acquire and retire Federal re-  
12 newable electricity credits associated with elec-  
13 tric energy it sells to end-use customers; or

14 “(2) affect the application of, or the responsi-  
15 bility for compliance with, any other provision of law  
16 or regulation, including environmental and licensing  
17 requirements.

18 “(j) COST RECOVERY.—An electric utility, the retail  
19 electricity sales of which are subject to rate regulation,  
20 shall not be denied the opportunity to recover the full  
21 amount of the prudently incurred incremental cost of re-  
22 newable electricity or Federal renewable electricity credits  
23 obtained, or alternative compliance payments made, to  
24 comply with the requirements of subsection (c).

25 “(k) PROGRAM REVIEW.—

1           “(1) NATIONAL ACADEMY OF SCIENCES RE-  
2           VIEW.—The Secretary shall enter into a contract  
3           with the National Academy of Sciences under which  
4           the Academy shall, not later than July 1, 2017, and  
5           every 5 years thereafter through 2032, submit to the  
6           Secretary and to Congress a comprehensive evalua-  
7           tion of all aspects of the program established under  
8           this section, including—

9                   “(A) an evaluation of the effectiveness of  
10                   the program, including its specific design ele-  
11                   ments, in increasing the market penetration  
12                   and lowering the cost of the eligible renewable  
13                   electricity generation technologies;

14                   “(B) the opportunities for any additional  
15                   technologies and sources of renewable electricity  
16                   generation that have emerged since enactment  
17                   of this section;

18                   “(C) the program’s impact on the regional  
19                   diversity and reliability of electricity supply;

20                   “(D) the net benefits or costs of the pro-  
21                   gram to the national and State economies, in-  
22                   cluding effects on retail electricity costs, eco-  
23                   nomic development benefits of investment, envi-  
24                   ronmental benefits, impacts on natural gas de-  
25                   mand and price, and avoided costs related to

1 environmental and congestion mitigation invest-  
2 ments that otherwise would have been required;

3 “(E) an assessment of the benefits and  
4 costs of increasing or extending the renewable  
5 electricity requirements set forth in subsection  
6 (c) of this section; and

7 “(F) recommendations regarding potential  
8 changes to this section, to regulations and pro-  
9 cedures for implementing this section, or to re-  
10 lated public policies.

11 “(2) RECOMMENDATIONS TO CONGRESS.—Not  
12 later than January 1, 2018, and every 5 years there-  
13 after through 2033, the Secretary shall transmit to  
14 the Committee on Energy and Commerce of the  
15 United States House of Representatives and the  
16 Committee on Energy and Natural Resources of the  
17 United States Senate a report making recommenda-  
18 tions for modifications and improvements to the pro-  
19 gram established under this section and any related  
20 programs, including an explanation of the inconsist-  
21 encies, if any, between the Secretary’s recommenda-  
22 tions and those included in the National Academy of  
23 Sciences evaluation under paragraph (1).

24 “(I) SUNSET.—This section expires on December 31,  
25 2040.”.

1           (b) TABLE OF CONTENTS AMENDMENT.—The table  
2 of contents of the Public Utility Regulatory Policies Act  
3 of 1978 (16 U.S.C. 2601 and following) is amended by  
4 adding at the end of the items relating to title VI the fol-  
5 lowing:  
6 **“SEC. 610. Federal renewable electricity standard.”.**