

Union Calendar No. 742

115TH CONGRESS
2^D SESSION

H. R. 5556

[Report No. 115–954]

To provide for transparency and reporting related to direct and indirect costs incurred by the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, and the Southeastern Power Administration related to compliance with any Federal environmental laws impacting the conservation of fish and wildlife, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2018

Mr. GOSAR (for himself, Mr. ABRAHAM, Mr. AMODEI, Mr. BIGGS, Mr. BRAT, Mr. BUCK, Mr. BUDD, Mr. GIANFORTE, Mr. GOHMERT, Mr. JONES, Mr. KING of Iowa, Mr. MCCLINTOCK, Mr. MCKINLEY, Mr. NORMAN, Mr. PEARCE, Mr. SCHRADER, and Mr. YOHO) introduced the following bill; which was referred to the Committee on Natural Resources

SEPTEMBER 20, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on April 18, 2018]

A BILL

To provide for transparency and reporting related to direct and indirect costs incurred by the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, and the Southeastern Power Administration related to compliance with any Federal environmental laws impacting the conservation of fish and wildlife, 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 “Environmental Compli-*
5 *ance Cost Transparency Act of 2018”.*

6 **SEC. 2. TRANSPARENCY AND REPORTING.**

7 *(a) INFORMATION INCLUDED IN MONTHLY BILLING TO*
8 *POWER CUSTOMERS.—The Administrators of each of the*
9 *Bonneville Power Administration, the Western Area Power*
10 *Administration, the Southwestern Power Administration,*
11 *and the Southeastern Power Administration shall include*
12 *in monthly billings sent to each of their power customers*
13 *information estimating and reporting all costs and factors*
14 *affecting total power costs, including the costs of the cus-*
15 *tomers’ share of the direct and indirect costs that are in-*
16 *curred by the administration related to compliance with*
17 *any Federal environmental laws impacting the conserva-*
18 *tion of fish and wildlife considered by the Administrator*
19 *concerned, at that Administrator’s sole discretion after con-*
20 *sultation with consumers, to be relevant.*

21 *(b) DIRECT COSTS.—Direct costs reported under this*
22 *section shall include Federal agency obligations related to*
23 *costs of studies; capital, operation, maintenance, and re-*
24 *placement costs; and staffing costs.*

1 (c) *INDIRECT COSTS.*—*Indirect costs reported under*
2 *this section shall include foregone generation (including as*
3 *a result of water lost to comply with any Federal environ-*
4 *mental laws impacting the conservation of fish and wild-*
5 *life), and replacement power costs, including the net costs*
6 *of any transmission.*

7 (d) *COORDINATION.*—*The Commissioner of the Bureau*
8 *of Reclamation and the head of any other affected Federal*
9 *agency shall assist the Administrators with the identifica-*
10 *tion of the costs.*

11 (e) *REPORT.*—*No later than January 30 of each year,*
12 *each of the Administrators referred to in subsection (a), in*
13 *coordination with the Bureau of Reclamation and other af-*
14 *ected Federal agencies, shall provide an annual report to*
15 *the appropriate committees of the House of Representatives*
16 *and the Senate that includes—*

17 (1) *all estimated costs and factors affecting total*
18 *power costs, including estimates of the total direct*
19 *and indirect costs that are incurred by the adminis-*
20 *tration related to compliance with any Federal envi-*
21 *ronmental laws impacting the conservation of fish*
22 *and wildlife considered by the Administrator con-*
23 *cerned, at that Administrator's sole discretion after*
24 *consultation with consumers, to be relevant; and*

25 (2) *the sources of replacement power.*

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