

	<a href="#">Sen. Bingaman: Senate Energy Staff Draft</a>	<a href="#">Reps. Waxman-Markey: (HR 2454) "American Clean Energy and Security Act of 2009"</a>
Scope	<ul style="list-style-type: none"> <li>Direct FERC to coordinate the planning of high-priority national transmission projects (<math>\geq 345</math>kV AC &amp; <math>\geq 300</math>kV DC or the superconducting cable equivalent, or renewable feeder line)</li> <li>Support development of renewable energy generation, including location-constrained resources</li> </ul>	<ul style="list-style-type: none"> <li>Directs FERC to coordinate the regional planning process to facilitate the deployment of renewable and other zero-carbon energy.</li> <li>No specific project or line size parameters</li> </ul>
Planners	<ul style="list-style-type: none"> <li>States, ROSs, utilities, etc.</li> </ul>	<ul style="list-style-type: none"> <li>Regional Planning Entities (states, RTOs, utilities, etc.)</li> </ul>
Planning Timeline	<ul style="list-style-type: none"> <li>180 days for FERC to issue planning principles</li> <li>Plan to be submitted as soon as possible but not later than 2 years from enactment</li> </ul>	<ul style="list-style-type: none"> <li>1 year for FERC to issue planning principles</li> <li>Plans must be submitted within 18 months of the issuance of the planning principles</li> </ul>
Planning Principles	<ul style="list-style-type: none"> <li>Detailed guidance in legislation as to the nature and content of the planning principles including.</li> </ul>	<ul style="list-style-type: none"> <li>No detailed guidance. General policy that the planning principles are to support.</li> </ul>
Plan Approval	<ul style="list-style-type: none"> <li>FERC</li> </ul>	<ul style="list-style-type: none"> <li>FERC</li> </ul>
Plan Requirements	<ul style="list-style-type: none"> <li>Planning principles address how utilities should fully incorporate high-priority national transmission projects and how utilities should coordinate with each other to analyze needed interconnection additions or modifications to grid</li> </ul>	<ul style="list-style-type: none"> <li>Plans should be developed from sub-regional plans where possible</li> <li>Plans should comport with planning principles</li> </ul>
REZ and/or Green Transmission Requirements	<ul style="list-style-type: none"> <li>Plans shall consider the location of generation and potential generation development</li> <li>Secretary of Energy will conduct nationwide location-constrained resources assessments.</li> <li>IS NOT a REZ requirement but suggests that potential renewable energy resources must be considered in planning</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>
Siting/ Preemption Authority	<ul style="list-style-type: none"> <li>Must attempt to site through state processes</li> <li>No NIETC designation requirement but must be part of "high-priority national transmission project"</li> <li>FERC can preempt the state's siting authority if the state: <ul style="list-style-type: none"> <li>"fails to approve" the project w/in 1 year,</li> <li>rejects application, or</li> <li>imposes unreasonable conditions on the permit</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>For Western Interconnection only FERC preemption vastly expanded:</li> <li>Must attempt to site through state processes</li> <li>No NIETC designation requirement but must be a multistate line identified in a regional plan</li> <li>Facility must be needed in "significant measure" to meet renewable energy demand under plan</li> <li>FERC can preempt the state's siting authority is the state: <ul style="list-style-type: none"> <li>Did not issue a decision within 1 year,</li> <li>Denied the application</li> <li>Authorized the project subject to conditions that "unreasonably" interfere with the project.</li> </ul> </li> </ul>
State Recommend.	<ul style="list-style-type: none"> <li>FERC shall give due weight to the environmental record and results of the state siting process</li> </ul>	<ul style="list-style-type: none"> <li>FERC shall consider &amp; incorporate state-imposed constraints and mitigation measures</li> </ul>
Federal Funding	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>
Cost Allocation	<ul style="list-style-type: none"> <li>FERC will establish cost allocation methodology</li> <li>Costs may be allocated across all or part of a region but must be just and reasonable and must not be disproportionate to the anticipated benefits in any given area</li> <li>FERC shall give deference to cost allocation proposals supported by broad agreement of states</li> </ul>	<ul style="list-style-type: none"> <li>No provision</li> </ul>
Federal Agency Coordination	<ul style="list-style-type: none"> <li>Dept. of Interior is lead agency for coordinating environmental review by federal agencies</li> <li>States that are willing may coordinate with FERC and federal agencies</li> <li>Sec. of Interior will prepare the NEPA environmental review document</li> <li>For federal authorizations, fed agencies shall use existing 368 corridors or must create new corridor according to §368(c)</li> </ul>	<ul style="list-style-type: none"> <li>Same as states in Federal Policy Act except Department of Energy is replaced by FERC.</li> <li>FERC and Department of Interior will negotiate the extent to which the Dept. of Interior will act as the lead agency when portions of the project cross federal land.</li> <li>FERC responsible for environmental analyses</li> </ul>