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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To direct the Energy Information Administration to conduct an analysis and publish a report on changes in the principal electricity cost components reflected in retail electricity bills for residential customers and small business customers in each State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MACKENZIE introduced the following bill; which was referred to the
Committee on _____

A BILL

To direct the Energy Information Administration to conduct an analysis and publish a report on changes in the principal electricity cost components reflected in retail electricity bills for residential customers and small business customers in each State, 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 “Better Information
5 through Line-item Labeling Drivers Act” or the “BILL
6 Drivers Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Residential customers and small business
4 customers in many States have experienced material
5 increases in electricity bills driven by multiple, iden-
6 tifiable factors, including electricity generation,
7 transmission, and distribution costs, State and local
8 public policy requirements, and taxes.

9 (2) Publicly available analyses produced by
10 independent market monitors for Regional Trans-
11 mission Organizations and Independent System Op-
12 erators demonstrate that electricity costs can be
13 disaggregated into discrete, transparent cost compo-
14 nents at a point in time using existing data and
15 methodologies.

16 (3) While such component level data exists, it
17 is not consistently presented to customers or policy-
18 makers in a standardized, accessible format that
19 clearly identifies the relative magnitude and com-
20 parative contribution of each cost driver to elec-
21 tricity bills.

22 (4) A clear, point in time identification of elec-
23 tricity cost components will assist customers and
24 policymakers in understanding the cost drivers of
25 electricity bills, without altering retail ratemaking

1 authority or assigning cost responsibility to indi-
2 vidual electric utilities.

3 **SEC. 3. ENERGY INFORMATION ADMINISTRATION ANALYSIS**
4 **OF ELECTRICITY COST COMPONENTS.**

5 (a) IN GENERAL.—The Administrator, in consulta-
6 tion with the Commission, shall conduct and publish a
7 standardized analysis, for each State, of changes over the
8 preceding 7-year period in the principal electricity cost
9 components reflected in retail electricity bills for residen-
10 tial customers and small business customers.

11 (b) CONTENTS.—The analysis conducted under this
12 section shall, at a minimum—

13 (1) identify changes, for each State, over the
14 preceding 7-year period in each electricity cost com-
15 ponent identified as applicable by the Administrator,
16 including—

17 (A) generation costs, including all costs in-
18 curred to generate or procure electric energy
19 and resource adequacy necessary to serve cus-
20 tomer load, regardless of whether such costs are
21 recovered through competitive wholesale mar-
22 kets or cost of service regulation;

23 (B) transmission-related costs;

24 (C) electricity distribution costs;

1 (D) State and local taxes and fees, includ-
2 ing—

3 (i) sales and use taxes on electricity;

4 (ii) gross receipts taxes; and

5 (iii) municipal utility taxes and other
6 miscellaneous fees imposed by State or
7 local governments as determined by the
8 Administrator; and

9 (E) State policy cost components;

10 (2) distinguish, to the extent practicable, among
11 Federal, State, and local policy-related costs, includ-
12 ing taxes and public policy mandates; and

13 (3) assess, to the extent practicable, the im-
14 pacts of large load additions, including data centers,
15 on electricity cost trends.

16 (c) MARKET STRUCTURE NEUTRALITY.—In con-
17 ducting the analysis under this section, the Administrator
18 shall identify electricity cost components in such a manner
19 that enables comparison across States with differing elec-
20 tricity market structures, including States served by
21 vertically integrated utilities and States with restructured
22 or competitive retail electricity markets.

23 (d) DATA SOURCES.—In conducting the analysis
24 under this section, the Administrator shall leverage pub-
25 licly available data, including—

1 (1) Energy Information Administration Form
2 861 and related data sets; and

3 (2) publicly available reports and analyses pro-
4 duced by independent market monitors for Regional
5 Transmission Organizations and Independent Sys-
6 tem Operators, where applicable.

7 (e) CONSULTATION WITH THE COMMISSION.—The
8 Commission shall provide technical assistance to the Ad-
9 ministrators with respect to wholesale electricity, capacity,
10 transmission, and ancillary services cost trends and re-
11 lated data under the Commission’s jurisdiction, including
12 in regions with organized wholesale markets.

13 (f) REPORT TO CONGRESS.—Not later than 180 days
14 after the date of enactment of this Act, the Administrator
15 shall submit to Congress a report on the results of the
16 analysis conducted under this section.

17 **SEC. 4. REGIONAL RELIABILITY AND COST CONTEXT.**

18 (a) IN GENERAL.—In conducting the analysis under
19 section 3, the Administrator shall consider relevant find-
20 ings from the most recent Long-Term Reliability Assess-
21 ment published by the Electric Reliability Organization
22 pursuant to section 215(g) of the Federal Power Act (16
23 U.S.C. 824o(g)) regarding load growth, resource ade-
24 quacy, and transmission needs.

1 (b) SUBMISSION.—The Administrator shall summa-
2 rize how the findings described in subsection (a) relate to
3 electricity cost trends and include such summary in the
4 report submitted to Congress under section 3.

5 (c) COORDINATION AND USE OF EXISTING DATA.—
6 Nothing in this section shall be construed to require the
7 Electric Reliability Organization to conduct a new assess-
8 ment or to duplicate any existing reliability or adequacy
9 study.

10 **SEC. 5. PUBLICATION AND TRANSPARENCY.**

11 The Commission and the Administrator shall publish
12 the results of the analysis conducted under section 3 in
13 a clear, consumer-friendly format on the website of the
14 Commission, and the website of the Energy Information
15 Administration, respectively.

16 **SEC. 6. DEFINITIONS.**

17 In this Act:

18 (1) ADMINISTRATOR.—The term “Adminis-
19 trator” means the Administrator of the Energy In-
20 formation Administration.

21 (2) COMMISSION.—The term “Commission”
22 means the Federal Energy Regulatory Commission.

23 (3) ELECTRIC CONSUMER.—The term “electric
24 consumer” has the meaning given such term in sec-

1 tion 3(5) of the Public Utility Regulatory Policies
2 Act of 1978 (16 U.S.C. 2602(5)).

3 (4) ELECTRICITY COST COMPONENT.—The
4 term “electricity cost component” means an identifi-
5 able category of costs incurred to generate elec-
6 tricity, or procure, deliver, or administer electric
7 service to residential customers, commercial cus-
8 tomers, or industrial customers, which may be recov-
9 ered through wholesale market transactions, bundled
10 cost-of-service rates, or other regulatory mecha-
11 nisms, including—

12 (A) electricity generation, capacity, trans-
13 mission, and delivery, as applicable;

14 (B) ancillary services;

15 (C) administrative charges;

16 (D) State policy cost components; and

17 (E) other cost categories as determined by
18 the Administrator.

19 (5) ELECTRIC RELIABILITY ORGANIZATION.—
20 The term “Electric Reliability Organization” has the
21 meaning given such term in section 215(a)(2) of the
22 Federal Power Act (16 U.S.C. 824o(a)(2)).

23 (6) INDEPENDENT SYSTEM OPERATOR.—The
24 term “Independent System Operator” has the mean-

1 ing given such term in section 3 of the Federal
2 Power Act (16 U.S.C. 796)).

3 (7) REGIONAL TRANSMISSION ORGANIZATION.—
4 The term “Regional Transmission Organization”
5 has the meaning given such term in section 3 of the
6 Federal Power Act (16 U.S.C. 796)).

7 (8) RESIDENTIAL CUSTOMER.—The term “resi-
8 dential customer” means an electric consumer that
9 receives electric service for use in a private dwelling
10 unit, including single family homes and individual
11 dwelling units within multifamily buildings, and that
12 falls within the residential sector classifications used
13 by the Energy Information Administration in its of-
14 ficial publications.

15 (9) SMALL BUSINESS CUSTOMER.—The term
16 “small business customer” means a nonresidential
17 electric consumer that is not classified as an indus-
18 trial customer and that falls within the commercial
19 sector classifications used by the Energy Informa-
20 tion Administration in its official publications.

21 (10) STATE POLICY COST COMPONENT.—The
22 term “State policy cost component” means the por-
23 tion of electricity costs attributable to requirements,
24 charges, or obligations established under State law
25 or regulation that affect the cost of providing elec-

1 tricity to electric consumers. State policy cost com-
2 ponents include net metering requirements, renew-
3 able portfolio standards, and public benefits require-
4 ments.

5 (A) NET METERING.—The term “net me-
6 tering” means a service to an electric consumer
7 under which electric energy generated by that
8 electric consumer from an eligible on-site gener-
9 ating facility and delivered to the local distribu-
10 tion facilities may be used to offset electric en-
11 ergy provided by the electric utility to the elec-
12 tric consumer during the applicable billing pe-
13 riod.

14 (B) RENEWABLE PORTFOLIO STANDARD.—
15 The term “renewable portfolio standard” means
16 a State policy that requires or establishes a goal
17 for electric utilities or other load serving enti-
18 ties to supply a specified minimum share of
19 electricity sales from eligible renewable energy
20 resources, as defined under State law.

21 (C) PUBLIC BENEFITS REQUIREMENT.—
22 The term “public benefits requirement” means
23 a State established requirement, charge, rider,
24 or assessment applied to electric service that, as
25 determined by the Administrator, funds or sup-

1 ports legislatively or regulatorily authorized
2 public interest objectives, including customer
3 support mechanisms, energy efficiency pro-
4 grams, or similar purposes, regardless of the
5 terminology used by the State, local, Tribal, or
6 territorial governments.

7 **SEC. 7. RULE OF CONSTRUCTION.**

8 Nothing in this Act shall be construed to alter exist-
9 ing ratemaking authority, require changes to retail elec-
10 tricity rates, or assign cost responsibility to any specific
11 electric utility or customer class.