

118TH CONGRESS
2D SESSION

S. 3918

To require the Federal Energy Regulatory Commission to establish a shared savings incentive to return a portion of the savings attributable to an investment in grid-enhancing technology to the developer of that grid-enhancing technology, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2024

Mr. WELCH (for himself and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the Federal Energy Regulatory Commission to establish a shared savings incentive to return a portion of the savings attributable to an investment in grid-enhancing technology to the developer of that grid-enhancing technology, 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 “Advancing Grid-En-
5 hancing Technologies Act of 2024” or the “Advancing
6 GETs Act of 2024”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COMMISSION.—The term “Commission”
4 means the Federal Energy Regulatory Commission.

5 (2) GRID-ENHANCING TECHNOLOGY.—The term
6 “grid-enhancing technology” means any hardware or
7 software that—

8 (A) increases the capacity, efficiency, reli-
9 ability, resilience, or safety of transmission fa-
10 cilities and transmission technologies; and

11 (B) is installed in addition to transmission
12 facilities and transmission technologies—

13 (i) to give operators of the trans-
14 mission facilities and transmission tech-
15 nologies more situational awareness and
16 control over the electric grid;

17 (ii) to make the transmission facilities
18 and transmission technologies more effi-
19 cient; or

20 (iii) to increase the transfer capacity
21 of the transmission facilities and trans-
22 mission technologies.

23 (3) SECRETARY.—The term “Secretary” means
24 the Secretary of Energy.

1 **SEC. 3. SHARED SAVINGS INCENTIVE FOR GRID-ENHANC-**
2 **ING TECHNOLOGIES.**

3 (a) DEFINITION OF DEVELOPER.—In this section,
4 the term “developer”, with respect to grid-enhancing tech-
5 nology, means the entity that pays to install the grid-en-
6 hancing technology.

7 (b) ESTABLISHMENT OF SHARED SAVINGS INCEN-
8 TIVE.—Not later than July 1, 2025, the Commission shall
9 promulgate a final rule to implement section 219(b)(3) of
10 the Federal Power Act (16 U.S.C. 824s(b)(3)) by pro-
11 viding a shared savings incentive that returns a portion
12 of the savings attributable to an investment in grid-en-
13 hancing technology to the developer of that grid-enhancing
14 technology, in accordance with this section.

15 (c) REQUIREMENTS.—

16 (1) IN GENERAL.—The Commission shall deter-
17 mine the percentage of savings attributable to an in-
18 vestment in grid-enhancing technology that can be
19 returned to the developer of that grid-enhancing
20 technology pursuant to the shared savings incentive
21 established under subsection (b), subject to the con-
22 dition that the percentage is not less than 10 per-
23 cent and not more than 25 percent.

24 (2) TIME PERIOD FOR RECOVERY.—The shared
25 savings incentive established under subsection (b)
26 shall return a percentage, determined in accordance

1 with paragraph (1), of the applicable savings to the
2 developer of the applicable grid-enhancing tech-
3 nology over a period of 3 years.

4 (d) ELIGIBILITY.—Subject to subsection (e), the
5 shared savings incentive established under subsection (b)
6 shall apply with respect to—

7 (1) any developer, with respect to the invest-
8 ment of that developer in grid-enhancing technology
9 that is installed as described in section 2(2)(B); and

10 (2) any grid-enhancing technology, including—

11 (A) grid-enhancing technology that relates
12 to new transmission facilities or technologies;
13 and

14 (B) grid-enhancing technology that relates
15 to existing transmission facilities or tech-
16 nologies.

17 (e) LIMITATIONS.—

18 (1) MINIMUM SAVINGS.—

19 (A) IN GENERAL.—The shared savings in-
20 centive established under subsection (b) shall
21 apply with respect to an investment in grid-en-
22 hancing technology only if the expected savings
23 attributable to the investment over the 3-year
24 period described in subsection (c)(2), as deter-

1 mined by the Commission, are at least 4 times
2 the cost of the investment.

3 (B) DETERMINATION.—

4 (i) IN GENERAL.—The Commission
5 shall determine how to quantify the cost of
6 an investment and the expected savings at-
7 tributable to an investment for purposes of
8 subparagraph (A).

9 (ii) COSTS.—For purposes of subpara-
10 graph (A), the cost of an investment may
11 include any costs associated with the per-
12 mitting, installation, or purchase of the ap-
13 plicable grid-enhancing technology.

14 (2) ALREADY INSTALLED GETS.—The shared
15 savings incentive established under subsection (b)
16 may not be applied with respect to grid-enhancing
17 technology that is already installed as of the date of
18 enactment of this Act.

19 (3) CONSUMER PROTECTION.—The Commission
20 shall determine appropriate consumer protections for
21 the shared savings incentive established under sub-
22 section (b).

23 **SEC. 4. CONGESTION REPORTING.**

24 (a) IN GENERAL.—Beginning on the date that is 1
25 year after the effective date of the rule promulgated under

1 subsection (b), all operators of transmission facilities or
2 technologies shall submit to the Commission annual re-
3 ports containing data on the costs associated with conges-
4 tion management with respect to the transmission facili-
5 ties or technologies.

6 (b) RULEMAKING.—Not later than July 1, 2025, the
7 Commission shall promulgate a final rule establishing a
8 universal metric and protocol for the measuring and re-
9 porting of data under subsection (a).

10 (c) USES OF DATA.—

11 (1) ANALYSES.—

12 (A) IN GENERAL.—The Commission and
13 the Secretary shall each use the data submitted
14 under subsection (a) to conduct analyses, as the
15 Commission or the Secretary, as applicable, de-
16 termines to be appropriate.

17 (B) COORDINATION.—The Commission
18 and the Secretary may coordinate with respect
19 to any analyses conducted using the data sub-
20 mitted under subsection (a).

21 (2) MAP.—The Commission and the Secretary,
22 acting jointly, shall—

23 (A) use the data submitted under sub-
24 section (a) to create a map of costs associated

1 with congestion management in the trans-
2 mission system; and

3 (B) update that map not less frequently
4 than once each year.

5 (d) PUBLICATION OF DATA AND MAP.—The Com-
6 mission and the Secretary shall make the data submitted
7 under subsection (a) and the map described in subsection
8 (c)(2) publicly available on the websites of—

9 (1) the Commission; and

10 (2) the Department of Energy.

11 **SEC. 5. GRID-ENHANCING TECHNOLOGY APPLICATION**
12 **GUIDE.**

13 (a) DEFINITION OF DEVELOPER.—In this section,
14 the term “developer” means a developer of transmission
15 facilities or transmission technologies, including a devel-
16 oper of transmission facilities or transmission technologies
17 that pays to install grid-enhancing technology with respect
18 to those transmission facilities or transmission tech-
19 nologies.

20 (b) ESTABLISHMENT OF APPLICATION GUIDE.—Not
21 later than July 1, 2025, the Secretary shall establish an
22 application guide for utilities and developers seeking to im-
23 plement grid-enhancing technologies.

24 (c) UPDATES.—The guide established under sub-
25 section (b) shall be reviewed and updated annually.

1 (d) TECHNICAL ASSISTANCE.—

2 (1) IN GENERAL.—On request of a utility or de-
3 veloper using the guide established under subsection
4 (b), the Secretary shall provide technical assistance
5 to that utility or developer with respect to the use
6 of grid-enhancing technologies for particular applica-
7 tions.

8 (2) CLEARINGHOUSE.—In carrying out para-
9 graph (1), the Secretary shall establish a clearing-
10 house of previously completed grid-enhancing tech-
11 nology projects that the Secretary, utilities, and de-
12 velopers may use to identify issues and solutions re-
13 lating to the use of grid-enhancing technologies for
14 particular applications.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this section,
17 to remain available until expended—

18 (1) \$5,000,000 for fiscal year 2024; and

19 (2) \$1,000,000 for each of fiscal years 2025
20 through 2035.

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