

December 15, 2022

Dear President Biden,

On behalf of the undersigned organizations, we write to provide a roadmap for building the transmission infrastructure we need to achieve our climate goals and prevent harm to impacted communities, which means ensuring there are opportunities for meaningful and timely input. The attached *Principles for Accelerating Clean Energy Deployment Through a Transmission Buildout in an Equitable Clean Energy Future* (Transmission Principles) provides a set of recommendations to help address current challenges related to transmission planning, siting and cost allocation. In combination with the significant transmission development opportunities provided through the Inflation Reduction Act (IRA) and the Infrastructure Investments and Jobs Act (IIJA), these *Transmission Principles* will help facilitate the needed growth of interstate transmission to support a 100% clean electricity grid while protecting communities' health and the environment.

Many recent legislative proposals containing transmission reform, including the *Building American Energy Security Act of 2022*, have failed to live up to these principles. Perhaps most importantly, the process laid out in these proposals lacked adequate and meaningful engagement with key stakeholders and ignored the concerns of those who would be directly impacted by energy infrastructure development. It is essential we build trust with the communities most impacted. We must learn from these lessons as we embark on the greatest infrastructure build-out in nearly a century thanks to the historic investments in the IRA and IIJA. Now more than ever, we need strong environmental review and public engagement processes to avoid harming communities while effectively speeding up development of much-needed infrastructure to enable a rapid clean energy transition.

We also need to build more transmission to rapidly bring online clean energy to meet climate goals and limit harmful pollution from fossil fuels. More transmission will make the grid more reliable and resilient to the climate disasters we face with increasing frequency. Various estimates say we need to double or triple the rate at which we are building out the electric transmission system to deliver on the promises of the IRA. This transmission can help unlock the roughly terawatt of renewables and storage currently waiting to connect to the grid because of arcane interconnection rules, transmission constraints, and bottlenecks. Critically, a major component of a transmission buildout is working with the communities. A recent study from MIT¹ concludes that a significant hurdle in developing clean energy infrastructure projects is local opposition -- and early community engagement can avoid delays or cancellations. To address this major slow down and to ensure that our new transmission is developed in an equitable manner, we must work with the very communities that our infrastructure is supposed to serve and not against them.

The attached *Transmission Principles* includes a combination of recommended administrative and legislative actions to spur more transmission development to deliver on the promise of the IRA and IIJA.

¹ <https://renewable-energy.mit.edu/>.

The recommendations include comprehensive and inclusive transmission planning; streamlined federal siting for certain large interstate transmission projects with a robust federal review process; and cost allocation requirements that holistically reflect the multiple benefits provided by transmission solutions. Thanks to your leadership in securing new resources through the IJJA and the IRA, these recommendations – some of which can be adopted under existing law – would work alongside historic investments in transmission development and in efficient and effective environmental reviews.

We look forward to continuing to work with you to ensure equitable and fast-paced development of the clean energy infrastructure we need to address the climate crisis.

Sincerely,

Center for American Progress

Environmental Defense Fund

Earthjustice

League of Conservation Voters

National Hispanic Medical Association

Natural Resources Defense Council

Sierra Club

Union of Concerned Scientists

WE ACT for Environmental Justice

Principles for Accelerating Clean Energy Deployment Through Transmission Buildout in an Equitable Clean Energy Future

The below set of Principles for Accelerating Clean Energy Deployment through Transmission Buildout in an Equitable Clean Energy Future presents ideas to address challenges related to transmission siting, cost allocation and planning. Importantly, this set of principles is not meant to be considered alongside any proposal related to rolling back environmental permitting or boosting fossil fuel development at communities' expense. **We continue to unequivocally oppose any such environmental permitting rollback proposal.** In addition to this transmission-focused set of recommendations, **we strongly support passage of the [Environmental Justice for All Act](#)**, which is essential legislation to ensure that the clean energy transition centers, protects and supports communities that have endured decades of fossil fuel pollution. It is important to recognize that while the siting/permitting proposal below is intended to improve the permitting process for certain transmission projects, it is one small piece of what is needed to address transmission-related barriers to achieving a 100% clean grid, and **action can be taken now to address transmission using existing authorities**, particularly with the passage of the IIJA and IRA. Finally, some of the recommendations below reaffirm existing FERC authority to advance transmission-related reform.

Electric Transmission Planning

- FERC must promulgate a rule requiring all FERC-jurisdictional electric transmission planning processes to achieve at a minimum, the following:
 - Provide proactive outreach to and offer meaningful opportunities for affected communities who would be impacted by the proposed line to weigh in on options or solutions and help guide the planning determination.
 - Calculate all the benefits of transmission, including reasonably foreseeable GHG emissions data.
 - Take into account, minimize, and aim to avoid as far as possible, local environmental and social impacts from siting transmission, especially impacts in environmental justice and Tribal communities.
 - Ensure that, to the extent reasonably feasible but without impairing its mandate to assess and minimize environmental impacts on EJ and Tribal communities, the proposed transmission solution makes use of any existing rights of way, for any type of infrastructure.
- FERC must establish Environmental Justice liaisons (either within or outside of the Office of Public Participation) to support ongoing consultation and advanced planning in environmental justice communities and tribal nations. Include a budget for these positions.
 - Environmental Justice liaisons must establish a community partnership and communications program that employs the strengths of tribal, state, and local

governments, as well as community-based organizations, faith-based organizations, schools, media, businesses, social services, ethnic organizations, and others to support transmission planning and implementation in affected communities.

- FERC must promulgate a rule requiring interregional electric transmission planning or specifying that regions plan for a minimum amount of interregional transfer capacity.

Siting/Permitting

- Add legislative language amending the Federal Power Act to establish a new avenue for federal siting/permitting.
- In addition to maintaining the National Interest Electric Transmission Corridor process, provide a bright-line definition for when a transmission line developer may obtain FERC review of its request to site regional or interregional transmission in lieu of existing review processes. If a developer of such a line seeks siting for the line and files an application with FERC, FERC must review the line.
- Two separate routes for developers to secure FERC review:
 1. The existing National Interest Electric Transmission Corridor process; or
 2. Direct FERC review if all of the following apply to the transmission siting proposal:
 - 2 or more states
 - 1000 MW or larger
 - Enables renewables, reduces congestion or improves reliability
 - Selected via the process laid out in “Transmission Planning” Section
- FERC siting review process:
 - In its review process, FERC must provide stronger protections for all impacted stakeholders—especially landowners and tribal and environmental justice communities—than it currently does under the Natural Gas Act, by rule or legislation. At a minimum, FERC must:
 - Assess the environmental impacts on impacted landowners and communities, including tribal and environmental justice communities.
 - Ensure its methodology accurately accounts for all impacted environmental justice communities.
 - Ensure effective public notice to all impacted landowners and communities.
 - Ensure that, to the extent reasonably feasible but without impairing its mandate to assess and minimize environmental impacts on EJ and Tribal communities, the route makes use of any already disturbed existing rights of way, for any type of infrastructure.
 - Ensure meaningful and timely opportunity for input from impacted landowners and communities, including tribal and environmental justice communities, and state and local governments.

- Ensure close and proactive interagency coordination where overlapping permitting jurisdiction exists, especially with agencies charged with managing federal public lands and waters.
- Incorporate a transmission advisory board provision similar to what is in the CHARGE Act, with the addition of mechanisms to ensure accountability.

Cost Allocation

- Add legislative language amending the Federal Power Act for broad FERC cost allocation.
 - Require FERC to adopt a cost allocation methodology for regional and interregional lines that holistically reflects the multiple benefits provided by transmission solutions, including economic, reliability, operational, public policy, resilience to extreme weather, and environmental benefits (including reductions in carbon emissions and reducing harm to EJ communities).
 - Permit FERC to allocate costs for such lines in proportion to share of demand for energy within the region served by the line where multiple benefits exist across the load served or where a benefit is known to exist but cannot reasonably be quantified.
 - Explicitly allow FERC to set cost allocation for transmission to offshore wind.