

**AMENDMENT TO H.R. 3628, AS REPORTED
OFFERED BY MR. TAKANO OF CALIFORNIA**

Add at the end the following:

1 **SEC. 3. CONSIDERATION OF INVESTMENT IN ENERGY STOR-**
2 **AGE SYSTEMS.**

3 (a) IN GENERAL.—Section 111(d) of the Public Util-
4 ity Regulatory Policies Act of 1978 (16 U.S.C. 2621(d))
5 is further amended by adding at the end the following:

6 “(23) CONSIDERATION OF INVESTMENT IN EN-
7 ERGY STORAGE SYSTEMS.—Each electric utility that
8 employs integrated resource planning shall, as part
9 of such integrated resource planning, consider in-
10 vestment in energy storage systems based on appro-
11 priate factors, including—

12 “(A) total costs and normalized life cycle
13 costs;

14 “(B) cost effectiveness;

15 “(C) improved reliability;

16 “(D) security; and

17 “(E) system performance and efficiency.”.

18 (b) CONFORMING AMENDMENTS.—

19 (1) OBLIGATIONS TO CONSIDER AND DETER-
20 MINE.—Section 112 of the Public Utility Regulatory

1 Policies Act of 1978 (16 U.S.C. 2622) is further
2 amended—

3 (A) in subsection (b), by adding at the end
4 the following:

5 “(10)(A) Not later than 1 year after the date
6 of enactment of this paragraph, each State regu-
7 latory authority (with respect to each electric utility
8 for which the State regulatory authority has rate-
9 making authority) and each nonregulated electric
10 utility shall commence the consideration referred to
11 in section 111, or set a hearing date for consider-
12 ation, with respect to the standard established by
13 paragraph (23) of section 111(d).

14 “(B) Not later than 2 years after the date of
15 enactment of this paragraph, each State regulatory
16 authority (with respect to each electric utility for
17 which the State regulatory authority has ratemaking
18 authority), and each nonregulated electric utility,
19 shall complete the consideration, and shall make the
20 determination, referred to in section 111 with re-
21 spect to the standard established by paragraph (23)
22 of section 111(d).”;

23 (B) in subsection (c), by adding at the end
24 the following: “In the case of the standard es-
25 tablished by paragraph (23) of section 111(d),

1 the reference contained in this subsection to the
2 date of enactment of this Act shall be deemed
3 to be a reference to the date of enactment of
4 that paragraph.”; and

5 (C) by adding at the end the following:

6 “(j) OTHER PRIOR STATE ACTIONS.—Subsections
7 (b) and (c) of this section shall not apply to the standard
8 established by paragraph (23) of section 111(d) in the
9 case of any electric utility in a State if, before the date
10 of enactment of this subsection—

11 “(1) the State has implemented for such elec-
12 tric utility the standard (or a comparable standard);

13 “(2) the State regulatory authority for such
14 State or the relevant nonregulated electric utility has
15 conducted a proceeding to consider implementation
16 of the standard (or a comparable standard) for such
17 electric utility; or

18 “(3) the State legislature has voted on the im-
19 plementation of such standard (or a comparable
20 standard) for such electric utility during the 3-year
21 period ending on that date of enactment.”.

22 (2) PRIOR AND PENDING PROCEEDINGS.—Sec-
23 tion 124 of the Public Utility Regulatory Policies
24 Act of 1978 (16 U.S.C. 2634) is further amended by
25 adding at the end the following: “In the case of the

1 standard established by paragraph (23) of section
2 111(d), the reference contained in this section to the
3 date of the enactment of this Act shall be deemed
4 to be a reference to the date of enactment of such
5 paragraph (23).”.

