

CODIFICATION OF APPA RESOLUTIONS

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(updated to 2020 Resolutions)

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PREFACE

Availability of an adequate and reliable supply of electric power at reasonable cost is essential to the strength of the American economy and the health and welfare of American citizens.

Members of the American Public Power Association, representing 1,750 local public power systems in 49 States, Puerto Rico, the Virgin Islands and Guam, pledge their best efforts to achieving this goal by:

1. Supporting the right of citizens of every community to serve themselves with electricity if they choose to do so.
2. Maintaining the highest standards of service and efficiency among local publicly owned electric utilities.
3. Seeking comprehensive development of our national power resources and full use of technical advances to provide low-cost power for all Americans.

In accordance with these aims, APPA members have endorsed specific policies and programs. On the basis of resolutions approved by delegates to its annual conferences, the American Public Power Association:

CLIMATE CHANGE

1. Urges Congress to establish and provide funding for an international global climate change research and assessment program to enable the nation to understand, predict, and respond to human-induced processes of global change; and establish and adequately finance federal RD&D programs in energy, and appoints a task force to continue to monitor developments in global warming. (1989)
2. Urges Congress to establish and provide funding for an international global climate change research and assessment program to enable the nation to understand, predict, and respond to human-induced processes of global change; and (2) establish and adequately finance federal RD&D programs in energy, and appoints a task force to continue to monitor developments in global warming. (1989)
3. Supports the implementation of those national energy policies that are sound public policy irrespective of the final outcome of global climate change research, including
 - o consideration of demand-side as well as supply-side measures in utility resource planning;
 - o promotion of the use of energy-efficient equipment and processes;
 - o accelerated research, development and demonstration of non-fossil electricity supply technologies; and
 - o the development of alternative fuel vehicles. (1990)
4. Supports an expanded, coordinated federal research effort on the existence, causes and effects of human induced global climate change research. (1990)
5. Supports the implementation of those national energy policies that are sound public policy irrespective of the final outcome of global climate change research, including:
 - o consideration of demand-side as well as supply-side measures in utility resource planning;
 - o promotion of the use of energy efficient equipment and processes;
 - o accelerated research, development and demonstration of non-fossil electricity supply technologies; and
 - o the development of alternative fuel vehicles. (1990)
6. Supports an expanded, coordinated federal research effort on the existence, causes and effects of human induced global climate change. (1990)
7. Supports the implementation of those national energy policies that are sound public policy irrespective of the final outcome of global climate change research, including

- o consideration of demand-side as well as supply-side measures in utility resource planning;
 - o promotion of the use of energy-efficient equipment and processes;
 - o accelerated research, development and demonstration of non-fossil electricity supply technologies; and
 - o the development of alternative fuel vehicles. (1990)
8. That the national energy strategy should maintain and ensure industry diversity and competition between different segments of the electric utility industry and to achieve this goal the following energy policies and objectives should be included:
1. Effective regulation must be preserved in order to protect electric consumers from anti-competitive practices;
 2. Transmission policies should be designed to provide transmission services to all utilities on just and reasonable terms in order to encourage competition in the bulk power market, efficiently use existing capacity reserves, and encourage utility coordination;
 3. Current policy governing the sale of federal hydropower and the repayment of federal investment in these facilities should be preserved in order to maintain the public and consumer benefits of this valuable renewable resource;
 4. Additional federal resources should be dedicated to the research, development, and demonstration of utility and end-use energy efficiency and conservation technologies; and
 5. Development and demonstration of affordable, efficient, environmentally sound and commercially available generating resources, including fuel cells, that minimize emissions of greenhouse gases should be encouraged. (1990)
9. Supports the implementation of those national energy policies that are sound public policy irrespective of the final outcome of global climate change research, including:
- o consideration of demand-side as well as supply-side measures in utility resources planning;
 - o promotion of the use of energy-efficient equipment and processes;
 - o accelerated research, development and demonstration of non-fossil electricity supply techniques; and
 - o the development of alternative fuel vehicles. (1990)
10. Committed to the success of voluntary, cost-effective greenhouse gas emissions reduction, prevention and sequestration efforts reflected in the Global Climate Challenge. APPA will encourage its members to participate in this program, and will work closely with the Administration to ensure that the needs and interests of public power systems are reflected in the Global Climate Challenge program and in the implementation of the Voluntary Reporting Systems program. (1994)
11. Reaffirms its support for continued research and its opposition to mandated greenhouse gas emissions reduction programs that lack solid scientific justification. (1994)
12. Is committed to (1) working with the Administration to develop a voluntary reduction program for the electric utility industry, (2) educating the public

(including the public power membership), and (3) working with policymakers (including the Administration and Congress) with regard to the policy options and emerging carbon-saving technologies trends most important for mitigating GHG emissions in the least cost manner for our sector. (1998)

13. APPA will play a leadership role in the development and promotion of federal energy and environmental policy that encourages the continued use, development and expansion of solar power, specifically President Clinton's Million Solar Roofs Initiative (MSRI) for reducing greenhouse gas emissions and minimizing other air quality impacts. (1998)
14. APPA will play a leadership role in the development and promotion of federal energy and environmental policy that encourages the continued use, development and expansion of solar power, specifically President Clinton's Million Solar Roofs Initiative (MSRI) for reducing greenhouse gas emissions and minimizing other air quality impacts. (1998)
15. Congress and the Administration should address simultaneously environmental, energy and air quality goals by pursuing a multi-pollutant approach for regulated pollutants with maximum flexibility. For controlling health-based air emissions, air regulation should continue to move away from unit-by-unit, command and control approaches to approaches that integrate flexible programs such as emissions cap and trade programs.

APPA reaffirms its existing position that our customer-owned utilities play an important role in the nation's efforts to reduce greenhouse gas emissions.

Climate change programs should include all greenhouse gases, be based on sound science and take into account that emissions that might affect climate change are distinct from emissions characterized as pollutants, which have a clearly defined and well understood effect on public health. Greenhouse gas emission reduction programs should focus on commercializing existing greenhouse gases reduction technologies, which are limited in their ability to reduce all greenhouse gases, and on developing the next generation technologies for producing electricity and reducing all greenhouse gas emissions.

Any federal climate change program designed either to address greenhouse gas concerns or to promote the development of technology or competitively neutral incentive-based solutions should be administered by the U.S. Department of Energy. (2001)

16. That APPA reaffirms its position that consumer-owned utilities will play an important role in the nation's efforts to reduce greenhouse gas intensity and will continue to participate in programs to voluntarily account for and publicly disclose greenhouse gas emissions and greenhouse gas intensity reductions; and

That APPA will encourage public power members interested in advancing their understanding of opportunities and methods to account for and reduce greenhouse gas intensity to work together and share experiences; and

That APPA supports the development of a public power greenhouse gas emissions database, and calculation on an annual basis, of the aggregated greenhouse gas intensity for public power systems relative to the broader goals in the EPIC/DOE memorandum of understanding; and

That APPA will work with its members to continue their long and important voluntary work concerning greenhouse gas emissions by supporting efforts to develop:

- a common understanding of greenhouse gas accounting rules, methods, terms, and databases as appropriate for use by public power systems.
- metrics appropriate for public knowledge and understanding of greenhouse gas emission intensity resulting from consumer use of electrical
- energy.
- consumer energy efficiency programs and public information that links the
- importance of energy efficiency with greenhouse gas emission intensity
- reduction goals.
- programs for the reporting of entity-wide and project specific greenhouse
- gas emissions with established state, regional, or nationally recognized
- greenhouse gas emission registries;
- partnerships with non-utility entities to seek efficient ways to reduce
- greenhouse gas emission intensity at least cost;
- a range of government incentives appropriate to publicly owned electrical
- utilities that would efficiently reduce greenhouse gas intensity. (2005)

17. That APPA encourages its member systems to use the updated 1605(b) program to receive credit for work they are doing to reduce GHG emissions and GHG emissions intensity; and

That APPA encourages members who choose not to participate in the 1605(b) program to consider participation in one of the other established state, regional, or nationally recognized GHG registries. (2006)

18. That the American Public Power Association urges Congress to adopt comprehensive legislation to address climate change and to incorporate the following principles in any new federal legislation designed to address emissions of greenhouse gases. Specifically, federal legislation must:

- Be economy wide, apply to all industry sectors, and consider local, state and regional initiatives while being implemented uniformly nationwide;
- Consider the financial impact on and the ability of consumers to afford any proposed greenhouse gas emission reduction program;
- Protect the ability of U.S. industries to compete in world markets and carefully consider the international competitive impact on U.S. jobs;
- Allow credit for early actions taken to reduce greenhouse gas emissions;
- Maintain reliability, protect national security and avoid over-reliance on any single fuel by recognizing the importance to the nation of preserving a diverse mix of electricity generation fuels, including coal, nuclear, natural gas, and all renewable energy sources including hydro;

- Place an enhanced and immediate economy-wide focus on energy efficiency for all energy uses;
 - Ensure that tax-based or other incentives for the development and deployment of renewable and clean energy facilities and programs are provided on a comparable basis to all electric industry sectors including public power;
 - Recognize and address regional differences that can impact the fairness and effectiveness of any program designed to address greenhouse gas emissions.
 - Include additional and expanded federal support for research, development and deployment of cost-effective technologies to reduce, capture, transform, transport or sequester greenhouse gases from emission sources throughout the national economy.
 - Ensure legislative emission reduction targets are consistent with commercially available technologies necessary to achieve them.
 - Ensure that any generation portfolio requirements allow all low emission technologies. (2007)
19. That APPA urges Congress to include language in any federal cap-and-trade climate change regime that would provide for meaningful and effective oversight and enforcement of any federally-established carbon market so that costs to consumers are minimized, market participants retain confidence in the market, and the market produces the desired environmental benefits in the most efficient and cost-effective manner. (2008)
20. That the American Public Power Association urges Congress to consider carefully all potential solutions for reducing greenhouse gas emissions to address global climate change and, if it chooses to enact a federal cap and trade regime, to adhere to the following principles. Specifically, any federal legislation establishing a cap and trade program to reduce greenhouse gas emissions must:
- Achieve the goals established by Congress with the least possible adverse economic impact on consumers of energy and the U.S. economy. Thus, such a program must include a safety valve (which sets a maximum allowance price) or other stringent cost control mechanisms that mitigate price volatility and protect consumers.
 - Minimize the initial auction amount to no more than five percent of total allowances to allow time for efficient markets to develop, to protect consumers and ensure continuing reliable operation of the electric system. In addition, the structure and operation of such an auction should be as transparent, simple and straightforward as possible.
 - Require the federal government to conduct regular reviews of allocations and auctioning of allowances in order to ensure they do not create windfall profits. This will be a particular problem in deregulated and RTO-run wholesale markets where

market-pricing mechanisms could allow generators and other market participants to reap windfall profits.

- Provide for effective market oversight, including strong enforcement and penalties, to prevent market manipulation so that costs to consumers are minimized, market participants retain confidence in the market, and the market produces the desired environmental benefits in the most efficient and cost-effective manner.
- Allow for all net proceeds generated from auctioning of allowances by federal or state governments to be used only for targeted R&D, energy efficiency, and mitigation of cost impacts on consumers.
- Be designed from the outset to slow, stop and then reverse U.S. greenhouse emissions over a reasonable period of time. This period should be sufficient to maintain the reliability of electricity to consumers and to develop low carbon generation technologies and implement them on a commercial basis. At the outset, the program should provide for allowances sufficient to maintain reliability and to allow time to adapt. Generating units of 25 MW or less should be exempted from mandatory participation in the program.
- Create an integrated national program for carbon reporting and trading that is equitable to all states.
- Establish January 1, 1994 as the appropriate date beyond which credit for early action is allowed.
- Not unduly harm the U.S. economy. Regular reviews of any cap-and-trade program should be conducted to determine if changes to the program are warranted to prevent the transfer of wealth and jobs to other countries that have not implemented effective greenhouse gas reduction programs.
- Allow for broad availability of greenhouse gas offsets for projects that achieve emission reductions. Qualified offsets should be additional, permanent, independently verified, enforceable, and measurable. In addition, offsets should be available from an expansive set of sectors and activities without arbitrary geographic or quantity limits on the use of qualified offsets to meet cap requirements.
- Provide allowances, offsets or other accommodations to the electric utility sector to protect it from intentional or unintentional fuel switching between economic sectors. These allowances and offsets must accurately reflect the overall reduction in greenhouse gas emissions. (2008)

21. That the American Public Power Association (APPA) will monitor these possible regulatory developments and ensure that any rule, if finalized:

- 1) Maintains the ability of APPA member utilities to deliver a reliable supply of electricity to residential, commercial, industrial, and government customers;
- 2) Addresses all types of stationary sources appropriately, not just those associated with electricity production and delivery;

- 3) Considers existing local, state and regional initiatives to address greenhouse gas emissions and the availability of local energy resources that have low greenhouse gas emissions;
- 4) Considers greenhouse gas emissions reductions resulting from the Energy Independence and Security Act of 2007, Public Law 110-140;
- 5) Ensure the reliability of the electricity grid by retaining a diverse mix of electric generation (including coal, oil, gas, nuclear, hydropower and other renewables);
- 6) Considers the financial impact on consumers;
- 7) Considers the availability of technological solutions; 8) Guards against widespread fuel-switching to natural gas or an increase in dependence on imported fuels such as liquefied natural gas. (2008)

22. That the American Public Power Association (APPA) supports the establishment of federal requirements for the production of electricity from renewable energy sources, as long as such requirements adhere to the following principles and criteria:

- The requirement is: 1) based on retail sales of electricity; 2) applicable only to large retail sellers of electricity; and 3) set at a level that does not exceed 15% and does not require full compliance before 2020;
- Federal support for the development of renewable energy, such as Clean Renewable Energy Bonds, the Renewable Energy Production Incentive, fully tradable tax credits, and other programs, is provided to public power utilities at a level that is comparable to the support provided to private developers of renewable energy through programs such as the production tax credit and others;
- The legislation allows as eligible for compliance the broadest range of renewable energy resources, including those allowed under state renewable energy requirements such as animal waste biomass, incremental hydropower, and new hydropower added at existing hydro and non-hydro dams;
- The legislation allows a significant portion of the requirement to be met through energy efficiency measures, both utility system efficiencies and customer-based programs, including any such measures allowed under similar state requirements;
- The legislation permits banking of excess credits to meet future year requirements;
- At a minimum, existing hydropower and municipal solid waste resources, including those owned by the federal government are excluded from the calculation of the baseline against which the renewable energy requirement is applied;
- The legislation ensures that any credits that accrue to federally-owned generation marketed by the power marketing administrations (PMAs), including both existing generation and additions, either are provided directly to the PMA customers affected by federal or state RES standards commensurate with their allocations of federally-generated power or sold with proceeds going to repayment of affected projects as determined by federal power customers in such marketing areas;
- Provisions are included allowing for alternative compliance in the form of reasonable cash payments on a per-kilowatt hour basis that corresponds to the

value of the renewable energy production tax credit, and requiring such funds to be returned to the retail electricity suppliers subject to the federal standard ;

- Existing state programs are integrated with the federal RES to the fullest extent possible so that affected utilities have only one standard to meet -- the federal compliance obligation should not be additive. States, however, would be allowed to establish additional requirements beyond the federal requirements if they chose to do so;
- The legislation allows all existing qualifying renewable energy facilities and energy efficiency programs to be used to meet a utility's compliance obligation;
- The Secretary of Energy is authorized to provide waivers of compliance or penalties on a case-by-case basis based on criteria to be established, including, but not limited to, the effects of natural disasters, the recognition of utilities in "negative load growth" circumstances and other economic, operational and contractual impacts, and delays in relevant federal permitting approvals, among others;
- Existing contracts for renewable energy certificates are fully protected and not abrogated, diminished, or impaired;
- Provisions are included that make clear the oversight and regulation of any related renewable energy credit market;
- The legislation must require periodic, multi-agency reports to Congress -- with the first one due no later than three years after enactment -- on the implementation of the RES with respect to various factors such as the impact on the reliable operation of the electric grid, the ability of the grid to accommodate such an increase in intermittent resources, and the costs to consumers; and
- The legislation must acknowledge the link between a federal electricity standard and any subsequent adoption of federal legislation to address climate change through reduction of greenhouse gas (GHG) emissions by requiring Congress to re-examine the renewable electricity requirement's continuing necessity in light of the new GHG emission reduction scheme. (2009)

23. That the American Public Power Association (APPA) urges Congress to consider carefully all solutions for addressing climate change and to incorporate the following principles for allocating emission allowances in any federal cap and trade program designed to reduce emissions of greenhouse gases. Specifically, "The American Clean Energy Security Act of 2009" and any similar legislation must:

- Allocate allowances at no cost directly to the electricity sector in an amount commensurate with the electricity sector's share of total emissions, generally accepted to be approximately 40%;
- Ensure that all allowances allocated to the electricity sector are further allocated at no cost directly to local electric distribution utilities (however, APPA takes no position on the methodology of distributing allowances among distribution

utilities), with no allocations made directly to any unregulated merchant generators;

- Allow the free allocation of allowances to local electric distribution utilities to continue at least until such time that clean coal technology becomes commercially deployable on a wide scale in the United States;
- Provide that the allocation of allowances to local electric distribution companies is done in a manner that equitably accommodates new fossil fuel-fired generating units that come online after the legislation's enactment date. (2009)

24. That APPA urges Congress not to use the Clean Air Act to regulate CO₂ or other greenhouse gas emissions, but to enact stand-alone legislation to address reduction of those emissions and include provisions that clearly separate the GHG emissions reduction program from the requirements of the CAA. This would include, for example, provisions that ensure there is a pollution control exclusion specifically designed for CO₂ and other GHG emissions, and a clear exemption from the CAA Title V permitting program; and

that APPA supports reform of the new source review requirements in the CAA that would allow reasonable levels of routine maintenance, repair, and replacement at existing coal-fired generating units in order to improve their efficiency and reliability without resulting in the application of NSR requirements. (2009)

25. That the American Public Power Association (APPA) urges Congress, if it addresses the issue of climate change through adoption of a cap and trade program, to adhere to the following principles in connection with allocation of emissions allowances to the electric utility sector:

- 1) Allowances should be allocated to the utility sector that track the sector's share of GHG emissions, currently estimated at 40%;
- 2) Allocations should be made to local distribution companies for the benefit of their consumers, with discretion provided to public power systems to determine how to use the value of such allowances for the benefit of their consumers;
- 3) Allowances should be allocated to the utility sector at no cost for at least the first 24 years of any cap and trade program;
- 4) During the initial years of the program when compliance options are limited, all, or substantially all, of the emissions allowances going to local distribution companies should be allocated based upon the GHG emissions of such companies' supply. Thereafter, a portion of the allowances allocated to local distribution companies should be shifted through a glide path to allow for an amount of allowances to be allocated based upon load, consistent with the objective of mitigating the cost of the program on consumers. Under this allocation system, allowances allocated to individual LDCs based on load pursuant to the glide path should not be limited by the LDC's need for allowances based on its emissions.

That the objective to mitigate costs for consumers through LDCs embodied in the emissions allocation principles set forth above should apply to any GHG regulation legislation adopted by Congress, whether in the form of a cap and trade

program, a carbon tax, a cap and dividend program, or other variation of proposed regulation. (2009)

26. That APPA continues its support for electric drive vehicles, the use of grid electricity as a transportation fuel, and funding the plug-in hybrid demonstration programs authorized in the EISA 2007; and

That APPA will encourage Congress and the appropriate federal agencies to develop policies that do not penalize utilities from serving electric transportation-related load, provided that such policies reduce net societal carbon emissions across the transportation and electricity sectors; and that utilities be eligible for partial or full value, including carbon credits, associated with the emission reductions associated with electricity as a low-carbon transportation fuel; and

That APPA will support greenhouse gas reduction benefit policies for other electricity transportation fuel applications such as truck stop and port electrification, truck refrigeration units and off-road class vehicles such as lift trucks, industrial burden carriers and golf carts. (2009)

27. That the American Public Power Association (APPA) supports appropriate legislative language to increase access to available transmission capacity by eliminating the “private-use” restrictions on public power systems. By eliminating these restrictions, public power entities will be able to release much-needed transmission capacity to the grid, which will increase reliability, relieve congestion, and help utilities meet future load growth. Moreover, this will provide better operational flexibility, improved asset optimization, and greater progress toward reducing greenhouse gas emissions; and

That APPA supports legislative language that allows a public power utility to grant long-term transmission rights to an investor-owned utility, in excess of three years, while retaining the ability to acquire tax-exempt refinancing bonds for the outstanding transmission bonds. (2009)

28. That APPA continues its support for electric drive vehicles, the use of grid electricity as a transportation fuel, and funding the plug-in hybrid demonstration programs authorized in the EISA 2007; and

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That APPA supports legislative language that allows a public power utility to grant long-term transmission rights to an investor-owned utility, in excess of three years, while retaining the ability to acquire tax-exempt refinancing bonds for the outstanding transmission bonds. (2009)

30. That APPA believes one of the most significant impediments to getting new transmission facilities built continues to be siting and that the EPAct05 federal backstop siting authorities should be improved, supported and protected from repeal;

That as new electric generation resources, especially renewable resources, are developed to meet increasing demand and to address climate change, substantial new transmission facilities will be required. APPA therefore urges the public, states and Congress to balance the concerns of specific states, landowners and other groups opposing specific transmission projects against the larger public good of an entire region;

That APPA supports inclusive, transparent planning processes to meet the needs of all load-serving entities;

That one of the best ways to decrease financial burdens and overcome opposition to significant new transmission facilities is to broaden the transmission ownership base, by expanding ownership opportunities to entities with different business models (including not-for-profit utilities). APPA therefore urges Congress to encourage and support joint ownership of transmission by load-serving utilities, including public power systems, and to eliminate financial barriers to public power system ownership, such as the private use restrictions for tax-exempt financing; and

That APPA urges FERC to provide greater guidance on cost allocation for major new transmission facilities that afford regional benefits. The costs of such facilities should be recovered through cost-based rates that are just and reasonable, and not unduly discriminatory, consistent with cost-of-service ratemaking principles. APPA does not support allocation of the costs of such facilities to regions, sub-regions or entities that will receive little or no benefit from the facilities, and therefore opposes a federal statutory requirement to allocate such costs on an interconnection-wide basis. (2009)

31. That APPA supports the intent of bills such as S. 1091/H.R. 4210, *The Storage Technology of Renewable and Green Energy Act*, introduced by Sen. Ron Wyden (D-OR) and Rep. Mike Thompson (D-CA) that seek to incentivize the use of storage technologies; and

That APPA urges Congress to provide equitable federal tax incentives for energy storage technologies to all sectors of the electric utility industry, by lifting the cap on the Clean

Renewable Energy Bond (CREB) program so customers of municipal and cooperative utilities can also benefit from these incentives; and

That APPA calls on Congress to lift the cap on CREBs in order to maximize the ability of consumer-owned utilities to adopt cost-effective renewable and energy storage technologies. (2010)

32. That the American Public Power Association (APPA) urges Congress to pass legislation that would ensure that the Environmental Protection Agency (EPA) does not use the Clean Air Act (CAA) to regulate greenhouse gas (GHG) emissions from stationary sources while workable legislation is being developed in Congress; and

That APPA urges Congress to enact stand-alone legislation to address reduction of those emissions consistent with APPA's positions on program structure and essential cost mitigation measures for consumers and also include provisions that clearly separate the GHG emissions reduction program from the requirements of the CAA. (2010)

33. That the American Public Power Association (APPA) strongly urges EPA to re-propose NSPS for GHG emissions in a manner that ensures that any fuel type can be used for electric generation; and

That APPA strongly urges EPA to propose individual NSPS based on fuel types that are reasonable, cost effective, and most importantly achievable; and

That APPA strongly urges EPA to propose NSPS for GHG emissions from coal-fired power plants that are efficiency-based standards as there is no technology commercially available and deployed to reduce CO₂ emissions. (2012)

34. That the American Public Power Association (APPA) strongly urges EPA to re-propose NSPS for GHG emissions in a manner that ensures that any fuel type can be used for electric generation; and

That APPA strongly urges EPA to propose individual NSPS based on fuel types that are reasonable, cost effective, and most importantly achievable; and

That APPA strongly urges EPA to propose NSPS for GHG emissions from coal-fired power plants that are efficiency-based standards as there is no technology commercially available and deployed to reduce CO₂ emissions. (2012)

35. That decisions related to deployment of solar power generation should be made at the local or state level, with a transparent discussion of the costs and benefits relevant to other generation sources; and

That community solar projects, while still sometimes more costly than most other types of power generation, can provide a relatively more affordable option than rooftop solar, and also can provide much greater reliability; and

That the American Public Power Association (APPA) will continue to educate federal policy makers about the impacts of federal regulations and incentives on local decisions

related to solar power generation, and will discourage federal mandates or one-size-fits-all proposals in this area. (2015)

36. That the American Public Power Association (APPA) supports an efficient, streamlined and cost-conscious regulatory review and streamlined permitting process for both existing and new low- and zero-emission projects, and associated transmission and natural gas pipeline projects, necessary to meet local, state, regional, and federal energy- and climate change-related policies; and

That APPA supports the preservation of existing low- and zero-emission projects capacity and operational flexibility to the maximum extent practicable; and

That APPA supports requiring federal regulatory agencies with the ability to impose mandatory conditions on a project to work together in an expedited manner to facilitate the preservation and development of low- and zero-emission projects to reducing waste, minimize burdensome administrative requirements, and improve decision making, and

That APPA supports requiring federal agencies to clearly define the objective of each mandatory condition with an accompanying rationale and disclosure of impacts in an open and transparent manner thereby adhering to the same standard of disclosure and explanation required of stakeholders submitting mandatory conditions. (2015)

37. That the American Public Power Association (APPA) supports swift enactment of the Wildfire Disaster Funding Act, or other similar wildlife funding mechanisms (both legislative and regulatory) to address the inadequate and inequitable funding to prevent and fight major forest fires. (2016)

38. That the American Public Power Association (APPA) urges the Department of Energy (DOE) to reassess the accuracy of the Source Energy Metric (Metric); and

That APPA urges DOE and the Environment Protection Agency to revisit and reopen for public comment the past uses of the Metric in policies and regulations to ensure the accuracy of such impactful regulations; and

That APPA believes the Metric fails to address the changing electric grid and needs to be adjusted to reflect the current generation portfolio; and

That APPA supports efforts to make known the far-reaching impacts of this methodology on local governments and other organizations that may have used this tool in their local policy objectives; and

If DOE is unwilling to revisit and correct this error, APPA supports congressional oversight to examine the problems arising from an inaccurate Metric and its policy implications, as well as legislation to direct DOE to correct the error. (2016)

39. That the American Public Power Association (APPA) believes any federal legislation and associated regulations to reduce greenhouse gas (GHG) emissions must do so in a way that maintains a reliable electric grid and affordable electric rates for retail customers. To that end, climate legislation should:

- Protect electric customers and the ability of U.S. industries to remain globally competitive by preventing or mitigating substantial rate impacts;
- Recognize regional differences in resources, power supply mix, and electricity consumption;
- Make clear that other sectors of the U.S. economy and other nations also need to take meaningful action to reduce their emissions;
- Ensure the continued use of all sources of non-emitting energy, including hydropower, wind, solar, geothermal and nuclear power, as well as fossil-fuel based and dispatchable resources, which will be needed to ensure generation diversity, system reliability, and resilience;
- Avoid mandates that rely on technologies that are not commercially demonstrated or economically feasible;
- Seek the most economically efficient means for reducing GHG emissions from an economy-wide perspective while protecting system reliability, rather than requiring the use of any particular kind of generation;
- Recognize early action taken by electric utilities to reduce their GHG emissions, including investments in renewable and other non-emitting generation, transportation electrification, energy efficiency measures and other GHG mitigation efforts;
- Provide an appropriate glidepath, flexibility, and technical and financial assistance to communities and workers that depend economically on fossil-fuel fired power plants, and utilities that own or purchase power from such plants, including ensuring not-for-profit utilities with existing debt on fossil-fuel fired power plants are not economically harmed if those plants are required to scale back production or retire before their bonds are paid off;
- Support demand-side measures to reduce GHG emissions, including increased energy efficiency and demand response measures and the beneficial electrification of new loads that reduce overall energy intensity;
- Ensure any federal incentives provided for non-emitting sources of electricity, energy storage, energy efficiency, and carbon capture, utilization, and storage are technology-neutral and provided on a comparable basis to all sectors of the electric utility industry, including public power;
- Provide robust federal funding and support for research, development, and deployment of new and advanced technologies to reduce, capture, transform, transport, or sequester GHG emissions by all segments of the electric utility industry;
- Recognize local, state, and regional efforts to reduce GHG emissions and work in a complementary fashion with those efforts; and

- Provide federal funding for technologies and actions to adapt to the effects of climate change, including building more resilient electric infrastructure. (2020)

CONSERVATION

1. Supports legislation for the conservation, development and utilization of the nation's natural resources to meet human, economic, and national defense requirements. (1961, 1962, 1963)
2. Urges its members, as public agencies, to undertake programs to encourage the efficient use of energy resources which would insure cost savings and adequate and reliable energy supply to consumers. (1971)
3. Supports the program of assistance for energy recovery through solid waste disposal proposed in H.R. 14161. (1974)
4. Supports adoption of building standards which would aid in conserving energy and encouragement of development of energy-saving machines, and believes that government at all levels should work to implement pertinent performance standards. (1975)
5. Urges that a "conservation credit" be employed in federal evaluation of hydroelectric projects to recognize contributions to reducing the nation's reliance on equivalent amounts of fossil fuels. (1975)
6. Opposes the increased import fees on foreign oil and suggest that consideration be given to the imposition of import quotas as an alternate means of achieving necessary reduction of oil imports, but strongly urges that any import quota system be accompanied by an allocation system, including rationing if necessary, which can assure adequate supplies of fuels for essential and necessary electric utility service and a comprehensive fuels price control program and specifically opposes the proposed decontrol of domestic oil prices; endorses the concept of a strategic oil reserve designed to offset the effect of sudden interruptions in the supply of foreign oil; and supports a national program to conserve presently available fuels and to develop alternative and renewable resources. (1975)
7. Endorses the purposes and overall framework of the residential energy conservation program contained in the National Energy Act proposed by President Carter; urges the Congress to amend the bill to permit the voluntary participation of smaller utility systems under regulation promulgated by the program administrator, which regulations recognize the limited resources and capabilities of the smaller utilities; and supports the implementation of the federal insured loan program and the creation of a secondary market to purchase from the utilities obligations of indebtedness, which provisions would be available to all utilities (regardless of size) desiring to lend funds to customers for residential energy conservation expenditures and which are not otherwise legally prohibited from doing so. (1977)
8. Supports the concept of utility cooperation with cogenerators. (1977)
9. Commends Representative Oberstar for his leadership in seeking federal programs to encourage the use of district heating and urges all Members of Congress to join him in to enact H.R. 3205 and H.R. 3204. (1981)
10. Supports the goals of the Energy Efficient America Act, and specifically urges passage of the Consumer Products Energy Efficiency Amendments of 1984 (S. 2631), the

Weatherization Amendments of 1984 (S. 2629), and the solar Energy and Energy Conservation Bank Reauthorization Act of 1984 (S. 2630). (1984)

11. Supports extension of the federal tax credits for energy conservation and renewable energy. (1985)
12. Established the Task Force on Federal Water and Power Policies, which has issued a report entitled "Resolution of Competing Uses at Federal Water Projects" and believes federal power customers should participate constructively in reconciling the conflicting demands of original and new project interests under the following guidelines:
 - New Project Purposes and Revision of Existing Purposes
 - o beneficiaries of authorized project purposes should not be asked to underwrite the addition of new or expanded project purposes that reallocate project benefits;
 - o if project benefits are transferred from one project use to another, cost responsibility must be transferred and lost benefits compensated;
 - o changes in project operation or designation of new project purposes must not be pursued on a generic basis, since only case-by-case authorization can ensure that changes in project operation are warranted, appropriate, cost-effective, do not violate contracts or established rights, and are consistent with national objectives;
 - Western Irrigation Assistance
 - o federal power customers will honor historical financial commitments for authorized but unconstructed irrigation projects under traditional methods of determining project feasibility, financing, and repayment; and, may consider non-traditional assistance, on a case-by-case basis, for such projects or acceptable substitutes that are economically and environmentally acceptable, include substantial local cost-sharing by other project beneficiaries, and provide federal power customers proportionate benefits;
 - The Environment
 - o a distinction between environmental mitigation and enhancement is critical in determining the financial responsibility of federal power customers for efforts to improve environmental conditions at federal multipurpose water projects;
 - o all project beneficiaries, and the public at large, must share financial responsibility for environmental mitigation efforts, which encompass those reasonable and cost-effective efforts designed to offset the environmental impacts resulting from construction of these projects;
 - o the direct beneficiaries of enhanced environmental opportunities, and the public at large, must bear the financial responsibility for environmental enhancement measures, which comprise those efforts designed to improve the environment to a state that did not exist prior to construction of the facility;

- Conservation
 - o federal power customers should continue to pursue appropriate, cost-effective end-use and system efficiency measures;
 - o prior to any reallocation of stored project water for consumptive use, federal power customers believe that the intended beneficiary should be required to make a positive showing that the water is needed after the implementation of appropriate, cost-effective end-use water management practices. (1989)
13. Supports the enactment of legislation, including H.R. 4249 introduced by Representative Kennelly and S. 2312 introduced by Senator Symms, to modify and permanently extend Section 8217(i) of the National Energy Conservation Policy Act to exclude payments made by utilities to residential, commercial and industrial customers for the purchase and installation of energy conservation measures from the gross income of such customers. (1990)
 14. Urges Congress to enact the National Plumbing Products Efficiency Act as introduced by Sen. Fowler and Rep. Atkins. (1990)
 15. Supports the enactment of legislation promoting the development of national home energy efficiency guidelines. (1990)
 16. Commends Senator Bumpers for introducing legislation. S. 1355, to initiate congressional consideration of a national home energy efficiency rating program. (1990)
 17. Opposes removal of the Elwha River Dams and other safe, reliable and economically beneficial hydroelectric power resources. The American Public Power Association also supports fisheries enhancement programs for the Elwha River, and urges a study by appropriate government agencies and other interested parties of the potential for conservation by the Daishowa pulp and paper mill; the costs and feasibility of restoring the anadromous fishery in the upper Elwha River; the cost of removing the dams and replacing the resource, and the cost and feasibility of the removal and disposal of sediment in the lake beds. (1991)
 18. Requests that HUD adopt aggressive energy efficiency standards for mobile homes and manufactured housing that fall under its jurisdiction, and that these standards, which should be sufficiently flexible to reflect regional climate variations, should be equivalent to the Super Good Cents standards now being promoted by many publicly owned utilities throughout the country. (1991)
 19. If Housing and Urban Development (HUD) cannot adopt these standards in a timely fashion then state agencies, public power systems and representatives of the manufactured housing industry should make every effort to implement these standards through other means, such as utility connection standards combined with aggressive marketing of efficiency measures for manufactured housing. (1991)
 20. Supports the introduction and enactment of legislation that would pursue strategies to increase the supply and retail availability of compact fluorescent light bulbs. (1991)
 21. Supports the enactment of legislation that results in a more aggressive Federal appliance efficiency standards development program that improves these standards and gives states

the option of developing their own efficiency appliance standards without requiring a Federal waiver provided the state standards are more beneficial. (1991)

22. Supports passage of legislation to increase Corporate Average Fuel Economy (CAFE) standards and the subsequent effect these measures would have on the production and sales of electric cars and will work with the sponsors of S. 279 and H.R. 612 to achieve passage of such legislation. (1991)
23. Supports the prompt development of a national energy policy that includes the following balanced consumer provisions for end-use efficiency, renewable resources, advanced generating technologies, and efficiency of utility supply. Combined, these policies will increase energy and economic efficiency and improve our national energy security with limited impact on the environment.
 - o **Strategy Development.** To ensure a balanced and unbiased approach, enhanced energy policy discussions and informational briefings between the Department of Energy (DOE), the American Public Power Association (APPA), public power utilities, and the Office of Management and Budget (OMB) are necessary.
 - o **End-Use Efficiency.** In order to ensure the wise use of existing resources, any national energy plan should include:
 1. national labelling requirements and reasonable standards for lighting, windows and appliances that are periodically revised to recognize technological advancements;
 2. improved distribution and availability of compact fluorescent light bulbs and other efficiency equipment;
 3. facilitation of the use of conservation and energy efficiency equipment by providing that utility rebates are not considered taxable income;
 4. sufficient and stable funding of federal programs designed to offset the cost of energy consumption and energy efficiency investments for low-income households;
 5. an appropriate and achievable increase in the Corporate Average Fuel Economy (CAFE) standard for automobiles and the "crediting" of electric vehicles in the calculation of CAFE standards;
 6. federal research for the development of electric vehicles, including development of cost-effective batteries;
 7. technical assistance for the development and use of integrated resource planning by electric utilities;
 8. national home energy efficiency guidelines for new home construction that can be used in the development of climate- and locale-specific standards; and

9. federal energy efficiency standards for mobile, manufactured, and public housing.

- o **Renewable Technologies.** Utilization of renewable resources reduces dependence on unstable foreign energy supplies and emissions of pollutants. Steps must be taken to fully utilize existing renewable resources and facilitate the development and use of additional renewable resources. Such steps should include:

1. preservation of existing policies governing the sale of federal hydropower and proper maintenance and cost-effective upgrading of existing federal hydroelectric facilities to maintain the efficient use of this precious resource;
2. prevention of the decentralization of the Federal Energy Regulatory Commission (FERC) hydroelectric licensing process;
3. an expanded partnership program between federal and non-federal participants for the demonstration of emerging renewable technologies;
4. reasonable incentives, equally afforded to all utilities, to defray the cost of installing renewable technologies; and
5. expanded federal research and development in renewable technologies.

- o **Advanced Generating Technologies.** Advanced technologies and transportation policies are needed to promote the efficient use of traditional fuels, including coal, gas, and uranium. Specific program needs include:

1. federal assistance for the development and demonstration of utility-scale fuel cells;
2. continued federal cost-sharing of advanced clean coal technologies;
3. a rational federal resolution of the so-called WEPCO controversy that allows cost-effective, and frequently environmentally beneficial, modifications and refurbishments of existing generating facilities;
4. Federal eminent domain authority for the construction of coal slurry pipelines;
5. the development and licensing of standardized, passively safe nuclear generators; and
6. the timely development of an acceptable nuclear waste program.

- o **Efficient Use of Utility Facilities.** In order to avoid unnecessary duplication of existing and future utility facilities and to maintain competition and diversity in the electric utility industry, a national energy policy should:

1. establish policies and procedures to ensure access to existing surplus transmission capacity is made available to all utilities under just, reasonable and non-discriminatory terms and conditions and provide for the construction of future transmission capacity on a jointly planned basis; and
 2. remove the discriminatory restrictions placed on private use of public power facilities financed with tax-exempt bonds in order to promote the efficient sizing and use of these facilities.
- o **Effective Regulation.** To protect the interest of consumers, effective regulation of electric utilities by independent regulatory commissions such as the Federal Energy Regulatory Commission and the Securities and Exchange Commission, must be preserved. (1991)
24. Supports switching from fossil-fuel to electricity end uses where efficient -- the ecowatts principle -- and urges that it be pursued as one element in a three-pronged energy strategy. In addition, the strategy should encompass continued cost-effective demand side management activities to increase efficiencies in the end use of electricity, and continued research and development of technologies that focus on improving efficiencies and reducing environmental consequences at both the point of electricity generation and use. (1993) Supports initiatives such as H.Con.Res 188 designed to promote additional federal energy research and development investments on energy efficiency (including investments in electrotechnologies, energy delivery and end use of electricity), energy conservation and renewable energy programs without jeopardizing the Department of Energy research activities with conventional fuels. (1994)
 25. Urges Congress to continue to support appropriate federal investments in energy efficiency and renewable technology that lead to lower energy costs for consumers, the development of technologies that reduce pollution, and that foster market-pull programs that stimulate economic activity, create jobs and increase the competitiveness of domestic producers of energy efficiency and renewable energy products in world markets. (1995)
 26. That the APPA reaffirms its support of renewable energy and, in the event of federal legislation that requires electricity providers to generate or sell a minimum amount of energy produced from renewable sources, supports the inclusion of hydropower as a renewable resource and in any related provisions involving renewable energy credits. (1997)
 27. That the APPA urges Congress and the Administration to modify the Renewable Energy Production Incentive (REPI) in a manner that will provide a degree of certainty adequate for project planning, and secure the benefits of renewable sources of energy for public utilities, their consumer-owners, domestic businesses, and the general public. (1997)
 28. Will play a leadership role in the development of programs and technologies that promote domestic development of renewable resources including photovoltaic technology, methane energy recovery projects, hydropower and other renewable energy resources through initiatives such as the Renewable Energy Production Incentive. APPA also supports efforts to enhance the implementation of conservation measures in customers' homes and buildings. (1998)

29. Tax exempt financing for all units of state and local government should remain available for renewable resource facilities. Public power supports the goals of increased investments in renewable resources, including hydro. (1998)
30. Comprehensive federal electricity utility industry restructuring legislation must address and resolve the lengthy, duplicative and at times contradictory regulatory process for licensing and relicensing of hydroelectric facilities to ensure that output of these facilities is not needlessly curtailed at a time when there is a premium being placed on other renewable, non-polluting facilities. (1998)
31. APPA urges Congress and the Administration to provide incentives necessary to promote a diverse mix of domestic energy fuel sources, including wind, solar, biomass, landfill gas, geothermal, incremental hydropower, fuel cells, clean coal and other energy sources.

Should Congress choose to provide energy production or investment incentives through the tax code, public power systems, rural electric cooperatives and tribal utility authorities should be eligible to receive a comparable benefit, such as a tax credit that can be sold, transferred, or assigned to customers and other taxpayers.

Should Congress choose to provide energy production or investment incentives through the tax code, Congress should also consider a comparable incentive that will encourage Tennessee Valley Authority to provide a more diverse portfolio of clean fuels for its customers. (2001)

32. APPA urges Congress to reauthorize the Renewable Energy Production Incentive (REPI) program for ten additional years and to help public power systems and the communities they serve, in providing significant and quality benefits resulting from the accelerated use of emissions-free energy sources and the creation of new jobs at these technologies are deployed.

APPA also urges Congress and the Administration to support needed reforms to the REPI program. Such reforms should:

- Direct the Department of Energy to develop a mechanism to provide funds in advance of construction while grandfathering existing projects.
- Allow for multiple-year financing.
- Eliminate the two-tier structure put in place through regulation by the Department of Energy that serves to disadvantage landfill gas to energy projects.
- Include language to statutorily direct REPI reform and implementation to occur on a set date.
- Promote incentives for incremental hydropower. (2001)

33. APPA urges Congress and the Administration to stimulate the development and use of advanced technologies that will allow the U.S. to utilize its most abundant energy resource, coal, to help meet the growing demand for clean, affordable, and reliable electricity.

APPA supports legislation that provides incentives to encourage the retrofitting and repowering of existing coal-based generating units with state-of-the-art emission control technologies. Such legislation should include tax credits for private electric utilities and their equivalent in the form of tradable or refundable credits for not-for-profit electric utilities, for emission reductions and efficiency improvements in existing coal-based generating facilities and for early commercial applications of advanced coal-based generating technologies.

APPA supports the pursuit of accelerated technology R&D programs for the development of the next generation advanced clean coal based generation facilities, and will encourage the Department of Energy, Environmental Protection Agency (EPA), EPRI, and other related organizations to increase their support in these activities. (2001)

34. American Public Power Association (APPA) wishes to express its support for energy efficiency, and calls on Congress and the Bush Administration to make energy efficiency a cornerstone of America's energy policy.

APPA strongly urges its membership to make energy efficiency a high priority resource in policy and funding.

APPA urges Congress and the Bush Administration to promote and urge the timely implementation of all cost effective energy efficiency measures at the utility level, the State level, and especially at the federal level.

APPA urges Congress and the Bush Administration to increase funding for DOE's energy efficiency programs, to expand the successful appliance standards program to new technologies, to expand and enhance the Energy Star Program, and to establish tax incentives and tradable tax credits to promote advanced energy saving technologies.

APPA urges its members, Congress and the Bush Administration to take a long-term perspective with respect to energy efficiency so that energy efficiency programs have stable funding over the long-term. (2002)

35. That APPA reaffirms its strong support for energy efficiency and incentives to promote greater efficiency; and that APPA urges Congress and the Administration to 1) support a tiered approach for awarding tax incentives for new and existing homes and installation of cooling/heating/water heating equipment above IECC in a manner that takes into account state differences, and 2) support tax incentives for commercial buildings that achieve a 50% energy savings above IECC, again recognizing state differences; and that APPA urges Congress and the Administration to require uniform federal standards and a protocol for certification of energy savings calculations and standards for qualifying third party inspectors for energy efficient buildings. (2003)

36. That APPA supports the creation of federal grant programs and partnerships to assist electric utilities with activities that use targeted planting of shade trees to reduce residential energy demand like those proposed in the recently-introduced Energy Conservation through Trees Act (H.R. 5867), sponsored by Representative Doris Matsui (D-CA). (2008)

37. That the American Public Power Association (APPA) urges Congress to fund energy efficiency programs at the maximum levels authorized under the energy bills of 2005 and 2007; and

That APPA supports extension of the energy efficiency tax credits authorized in EPAct05, and urges Congress to prioritize their reauthorization; and

That APPA will continue to work with the Alliance to Save Energy and others to support and implement these programs. (2008)

38. That the American Public Power Association (APPA) urges the Department of Energy (DOE) to reassess the accuracy of the Source Energy Metric (Metric); and

That APPA urges DOE and the Environment Protection Agency to revisit and reopen for public comment the past uses of the Metric in policies and regulations to ensure the accuracy of such impactful regulations; and

That APPA believes the Metric fails to address the changing electric grid and needs to be adjusted to reflect the current generation portfolio; and

That APPA supports efforts to make known the far-reaching impacts of this methodology on local governments and other organizations that may have used this tool in their local policy objectives; and

If DOE is unwilling to revisit and correct this error, APPA supports congressional oversight to examine the problems arising from an inaccurate Metric and its policy implications, as well as legislation to direct DOE to correct the error. (2016)

39. That the American Public Power Association (APPA) believes it is important to identify and enact improvements that support the recovery of threatened and endangered fish, plant, and wildlife populations while ensuring responsible land, resource, and water management; and

That APPA supports efforts in Congress to update and improve the Endangered Species Act (ESA) to make it more workable for all stakeholders while continuing to support the recovery of threatened and endangered species; and

That APPA will continue to actively engage with federal agencies through the public rulemaking process on any proposed ESA regulations and policies that impact public power utilities. (2016)

40. That the American Public Power Association (APPA) believes it is important to identify and enact improvements that support the recovery of threatened and endangered fish, plant, and wildlife populations while ensuring responsible land, resource, and water management through actions such as voluntarily creating and supporting healthy habitats and working cooperatively with public and private partners at the local, state, and federal levels; and

That APPA supports efforts in Congress to update and improve the Endangered Species Act (ESA) to make it more workable for all stakeholders while continuing to support the recovery of threatened and endangered species; and

That APPA will continue to actively engage with federal agencies through the public rulemaking process on any proposed ESA regulations and policies that impact public power utilities. (2017)

DISTRIBUTED GENERATION

1. APPA calls on Congress to adopt transmission and distribution interconnection policies that provide FERC the authority to order the use of standardized technical interconnections while retaining local authority to require any additional measures necessary for system reliability, safety, or other factors deemed to be in the public interest.

APPA calls on Congress to adopt competitively neutral policies that promote the safe and cost-effective commercial deployment of distributed generation technologies – smaller generators connected at distribution voltages – in order to increase generation capacity in applications where they alleviate transmission constraints, improve air quality and protect the environment, and enhance reliability while maintaining safe working practices.

APPA will work with other organizations, including local government organizations, to inform policy makers on the benefits and issues related to distributed generation and related resources, and to build political support for the policies delineated above. (2001)

2. American Public Power Association (APPA) urges Congress, federal state and local policy makers to recognize the role played by small generating units in public power communities, including the benefits to relieving transmission congestion and increasing local system reliability.

APPA calls on Congress and regulatory agencies to:

- Follow the guidelines of the Small Business Regulatory Enforcement Fairness Act (SBREFA) when applying new requirements on small generators;
- Recognize the need for flexibility for existing small generators to participate in clean-up projects, including comparable incentives such as tradable tax credits; and
- Provide incentives and flexible rules and requirements that encourage the development of new, small, locally sited facilities. (2002)

3. That the American Public Power Association (APPA) believes DG can play an important role in public power's renewable energy portfolio; and

That APPA believes it is important that all DG customers pay their fair share of the costs of keeping the grid operating safely and reliably, recognizing the benefits provided by those customers; and

That APPA believes DG customer compensation policies must to be designed to reflect utility costs and benefits, and to assure that all those who benefit from the grid or provide benefits to the grid are sharing fairly in the cost of building and maintaining it. (2014)

ELECTRICITY MARKETS & POWER POOLING

1. Endorses the principle of electric transmission integration and interconnection so as to achieve the lowest cost electric service, to achieve numerous other advantages of power pooling and in order to avoid wasteful duplication of facilities, and specifically endorse the Rocky Ford-Tacoma and the Chief Joseph-Valley transmission lines. (1957)
2. Urges that Congress consider: (a) enactment of legislation conferring on the Federal Power Commission authority to establish minimum standards for design and operation of interconnected electric systems and regional power pools, and to adhere to these standards; (b) encouragement of local electric utilities to provide power for public facilities, such as hospitals, airports, transit systems, elevators, etc., in the event of emergency; (c) creation of a National Defence Electric Transmission System; (d) support for further study of the use of direct current transmission; and (e) accelerated federal development of economically and technically feasible hydroelectric sites. (1966)
3. Approves the principle involved in legislation authorizing the FPC to determine whether pooling, coordination, and interconnection agreements will unduly restrain competition provided such legislation (1) sets up procedures which give adequate opportunity for hearing to those affected by the agreements and their subsequent administrations, (2) requires concurrence by the Department of Justice in any Commission hearing, (3) provides for continuing scrutiny, including the right of review, of the administration of the agreements, and (4) provides a time limit within which the Commission must act; and urges that any such legislation be premised on a clearly established federal policy on a public utility responsibility for wholesale power supply for smaller retail electric distribution systems for the nation, and the terms and conditions under which such responsibility shall be exercised. (1967)
4. Urges that any council or group holding itself out to be an agency for coordinating the nation's utilities provide for membership in such national council of any region regional power pool or coordination group which includes representatives of consumer owned electric systems. (1968)
5. Supports in principle legislation being introduced in Congress by Congressman Michael Harrington of Massachusetts which would create a regional, bulk power generation and transmission agency in New England. (1971, 1972)
6. Commends the New England Regional Commission for its study endorsing the concept of a regional power agency with full responsibility for generation and transmission of electric power in the New England Region and urges the affected States and the Congress to investigate the alternative methods suggested to the Commission to create such an agency in order to bring adequate and low-cost power to the region with minimum environmental impact. (1971, 1972)
7. Commits itself to protecting the public interest at this crucial point in the development of the electric power industry and pledges itself to a program of action, including the enactment of legislation if it proves to be necessary to make certain that power pools, if and as they are created, do achieve the legitimate requirements of the public generally. Reasserts its support for the authorization and construction of a publicly financed national

power grid and the creation of regional publicly financed power supply agencies as the simplest and most appropriate method of fulfilling public interest requirements. (1972)

8. Urges the Congress to enact legislation that will require that in order to obtain a site or equity in a site to be used for power generation, the most efficient use of existing and planned generation and transmission capacity be accomplished. To insure this most efficient use, power pooling by all utilities in any regional; area, both public, private and federal agencies, is required. This shall be accomplished by joint generation, transmission and sharing reserves. Transmission services on surplus capacity, where it exists, must be available to all at compensatory rates. Where such capacity does not exist, enlargements of such facilities must be accomplished when feasible. If such enlargements are not feasible, joint planning, pooling and construction of new facilities must be a requirement for site use; and supports and encourages legislation which would place the enforcement and administration of such an act within the appropriate federal agency. (1973)
9. Endorses provisions of the proposed National Energy Act which allow the Federal Power Commission to order electric utilities to provide pooling, wheeling, and coordinating services to other electric utilities and cogenerators. (1977)
10. That in light of the recent confirmation that market manipulation was occurring in the Western energy crisis, the American Public Power Association urges the Senate-House conference committee on energy policy legislation to strengthen consumer protection language in H.R. 4, including provisions related to mergers, market transparency and market-based rates, that will provide greater protection to consumers from market manipulation and price volatility and help ensure that the market abuses that took place during the energy crisis in the West will be prevented in the future;

That H.R. 4 should include strong civil and criminal penalties that will act as a deterrent to help prevent market abuses from occurring in the future. (2002)

11. That APPA opposes the inclusion of an electricity title in any future federal energy bill until such time that a determination has been made regarding California and other Western market problems and the significant problems plaguing the energy industry – a critical step before Congress contemplates adding any new requirements on electric industry participants, particularly public power entities. (2003)
12. That the American Public Power Association (APPA) take all action necessary and appropriate before the Federal Energy Regulatory Commission (FERC), Congress and the courts to ensure that existing firm transmission rights, arising out of ownership of transmission, existing contracts (including “grandfathered” contracts), or service agreements under the Commission’s open access tariffs, are preserved in any wholesale market design approved by FERC, and that the holders of such rights be granted the right to elect to continue to use their physical transmission rights to meet their service obligations at the prices specified in those contracts or agreements, or if they wish, to convert to equivalent tradable or financial transmission rights that will hold them harmless in any new wholesale market design. (2004)

13. That the American Public Power Association urges the Federal Energy Regulatory Commission to embrace the following general policies:

- Foster adequate investment in transmission and generation infrastructure;
- Recognize and respect regional industry differences and preferences;
- Encourage cost-effective and not overly complex regional solutions;
- Support rational long-term generation resource arrangements that are in turn
- supported by dependable, long-term transmission service provided at just and
- reasonable rates,
- Foster well-functioning wholesale electric markets; and
- Ensure that FERC jurisdictional sellers of power charge “just and reasonable”
- rates; and

That APPA calls upon FERC to reform policies regarding existing FERC jurisdictional RTOs to protect consumers. Specifically FERC should ensure that:

- Load-serving utilities have the right to retain existing transmission rights arising out of ownership, existing contracts or service agreements under whatever market design is approved by FERC, and the ability in the future to obtain new, long-term transmission rights at a known and reasonable cost in order to achieve reasonable delivered cost certainty;
- Meaningful mechanisms are provided to get adequate transmission infrastructure built in a timely fashion, including mechanisms that encourage joint participation in development of new transmission facilities by all load serving entities within the region, instead of relying on incentive rates of return and accelerated depreciation and the presumed price signals of Locational Marginal Pricing and Financial Transmission Rights;
- A pricing methodology for transmission that produces reasonably certain and stable prices over the long term in order to support new generation construction and long-term power supply contracts;
- RTOs are fully accountable to stakeholders and the public for their costs and decisions;
- RTO governance is accountable to electric consumers’ interests;
- The region encompassed within the RTO footprint makes sense from a commercial and reliability perspective; and
- Through their operations and policies, that RTOs bring real, identifiable net cost savings to electric consumers; and

That FERC respect the considerable regional diversity that exists throughout the country and that it embrace regional alternatives developed within regions that do not have and do not wish to have RTOs by:

- Encouraging practices and institutions that meet the needs of specific regions;
- Enabling open regional transmission planning through means other than RTOs;

- Encouraging joint ownership of transmission and generation that supports long-term power supply planning while also helping to limit market power;
- Addressing remaining residual undue discrimination in transmission access by focusing on clarifying and enforcing open access rules;
- Addressing concerns of network service customers by vigorously enforcing the joint planning and transmission construction obligations of FERC jurisdictional transmission owners under their existing Open Access Transmission Tariffs; and

That FERC should address generation market power through a market-based rate policy that includes the imposition of cost-based rates in the appropriate market and conditions circumscribing the conduct of individual market participants if such conditions are necessary to ensure that wholesale rates are just, reasonable and not unduly discriminatory or preferential. (2005)

14. That APPA supports legislation and/or regulatory action by the FERC to ensure that RTOs operate cost-effectively, that RTO governance is open and responsive to consumer interests, and that RTO functions and programs provide real, tangible benefits to electric consumers. (2005)
15. That the American Public Power Association (APPA) urges the FERC to address and resolve expeditiously the SECA-related procedural and policy issues that were presented in protest of the SECA orders and compliance filings; and

That the membership of APPA encourages FERC to act in a timely manner, including where appropriate severing issues for prompt resolution, to provide immediate rate relief and refunds in the case of overcharges under the Commission's SECA orders. (2005)

16. That APPA urges the Federal Energy Regulatory Commission ("FERC") to take the following steps to address this situation:
 - To consider in FERC's pending inquiry in Docket No. RM04-7-000 concerning the terms and conditions for the granting of Market-Based Rate ("MBR") authority, the impact of RTO spot market clearing prices on prices asked for and obtained in long-term bilateral markets in RTO regions, and to gather information from the various RTO regions regarding the interrelationship between spot prices and bilateral long term contract pricing and availability; and
 - Based on this information, to propose appropriate mitigating conditions on the MBR authority granted to dominant public utility sellers in RTO regions, to ensure that the prices that they offer customers under bilateral arrangements are just and reasonable. (2005)
17. That the American Public Power Association (APPA) urges FERC not to adopt the NOPR in Docket No. RM05-35-000 as proposed, but rather to revise it by:
 - Providing that, where contracts are silent as to the standard of review to be applied, proposed modifications will be evaluated using a just-and-reasonable standard (that

is, modifications will be permitted only if the contract is shown to be unjust and unreasonable, and the proposed modifications are shown to be just and reasonable); and

- Providing that, notwithstanding contracting parties' language binding each other to a public-interest standard of review, contract modifications proposed by non-parties to the contract or resulting from sua sponte investigation by FERC, will be evaluated using the just-and-reasonable standard. (2006)

18. The American Public Power Association (APPA) opposes any legislative or regulatory proposals that would mandate economic or efficient dispatch, however it is defined, because these are operational decisions that should be made at the local and regional levels. (2006)
19. The American Public Power Association (APPA) urges the Federal Energy Regulatory Commission (FERC) to encourage and promote the joint ownership of transmission systems in RTO and non-RTO regions, through application of FERC's authority to: (i) approve reasonable rate incentives for jurisdictional transmission services; (ii) impose conditions on public utility mergers; (iii) ensure that all sellers authorized to charge market-based rates have mitigated their generation and transmission market power; (iv) enforce the joint planning and credits for customer-owned transmission requirements in the FERC pro forma open-access transmission tariff; and (v) other authorities granted to the Commission under the Energy Policy Act of 2005, including, but not limited to, the designation and ownership of facilities within "national interest electric transmission corridors and initiatives to ensure that load-serving entities are fully able to meet their native load service obligations; and

APPA urges Congress and other interested federal agencies, like the Department of Energy, to consider joint ownership of transmission as a possibility when allocating federal resources to help enhance the bulk transmission system or to rebuild or upgrade transmission lines. (2006)

20. That APPA continues to support efforts, like EMRI, to uncover the problems in electricity markets; and

That APPA urges Congress to hold oversight hearings on the functioning of the wholesale electricity markets and to work with state public utility commissions, the Federal Energy Regulatory Commission and the regional transmission organizations themselves to develop policies that will solve the problems in wholesale electricity markets so that these markets will meet the needs of load-serving entities, benefit electricity consumers, and produce an electric utility industry that can support a robust economy. (2007)

21. That the American Public Power Association (APPA) urges the Federal Energy Regulatory Commission (FERC) to closely monitor the implementation of MRTU, and to direct the CAISO to make appropriate changes or adjust its timeline for implementation if the key design elements are shown to be unworkable; and

That APPA urges Congress to continue to monitor this situation, and to employ its oversight authority if needed at any point during MRTU implementation. (2007)

22. That APPA urges Congress to work with FERC, state public utility commissions and the RTOs to develop policies to solve the fundamental problems in wholesale electricity markets, so that these markets will meet the needs of load-serving entities, benefit electricity consumers, and support a robust economy; and

That APPA urges Congress to pursue legislative remedies, as needed, to reform these markets, such as the Consumer Protection and Cost Accountability Act as introduced in the 110th Congress. (2008)

23. That APPA opposes the continuation of the RPM capacity market by PJM Interconnection because of its adverse impact on consumers without achieving the stated benefits of attracting a significant amount of new capacity; and

That APPA urges the Federal Energy Regulatory Commission (FERC), which has a statutory obligation to oversee the operations of PJM (and all other Regional Transmission Organizations), to replace the RPM with market reforms to encourage a robust long-term bilateral market that will provide adequate capacity, end incentives for generation withholding and ensure the just and reasonableness of rates in both the energy and capacity markets; and

That APPA urges the FERC to provide, through its processing of any complaints filed by others and/or initiated by FERC itself, financial relief to PJM customers for any unjust and unreasonable RPM charges imposed during the period June 1, 2007, through May 31, 2011. (2008)

24. That APPA supports the industry consensus model for developing interoperability standards for the integration of smart grid devices, and urges continued congressional support as well; and

That APPA commends FERC and DOE on undertaking a 80 comprehensive interoperability standard setting process for all smart grid equipment that follows the frameworks being undertaken by the standards development organizations mentioned above; and

That APPA urges DOE to share the results of smart grid pilot projects with the electric utility industry. (2009)

25. That APPA urges public power systems to include cost-effective demand response as an integral component in their power supply portfolios and integrated resource plans, and to implement all cost-effective demand response measures on their systems, including, as appropriate for the specific system, automatic load control devices, time-of-use rates, use of “smart” appliances and devices, and other methods of reducing system demand during peak periods; and

That APPA urges public power systems located in RTO regions to assess how they can best use RTO market opportunities to maximize demand response on their systems for the benefit of their retail customers, participating as appropriate and feasible in RTO markets as sellers of aggregated demand response, whether that be through acting as single aggregator for their retail customers, designating a single third-party aggregator to act on their behalf for all or one or more “classes” of their customers, or allowing multiple third

party aggregators to aggregate retail customers for all or one or more classes of customers on their systems;

That APPA urges public power systems in RTO regions to present the results of such assessments to their RERRAs (which may be the system's city council, utility board, other local governing body, or state public service commission, as specified under the relevant state and local law), and for those RERRAs to consider the assessment and take appropriate action to duly enact the necessary policies in a law or regulation; and

That FERC and the relevant RTOs should respect, honor and implement the duly implemented laws and regulations of public power systems' RERRAs regarding the aggregation of demand response on the systems of such public power entities; and

That APPA urges FERC, on rehearing of Order No. 719, to recognize the burdens that its current policy regarding the laws and regulations implemented by RERRAs concerning aggregation of demand response places on the RERRAs of "small utilities" located in RTO regions, as that term is defined by the Small Business Administration under the Small Business Regulatory Flexibility Act; and

That APPA accordingly urges FERC on rehearing of Order No. 719 to reverse the presumption that ARCs may aggregate retail customers on the systems of such small public power utilities and making clear that the systems' RERRAs must enact a specific law or regulation to allow ARC's to so aggregate customers. (2009)

26. That APPA urges the FERC to require timely and full disclosure of RTO generator bid data, including the identity of the bidders and generation units, as well as the actual costs of operating these units; and

That APPA seek increased congressional oversight of FERC's regulation of RTO markets, including its data disclosure policies. (2010)

27. That APPA supports the language passed by the House of Representatives in H.R. 4173, the Wall Street Reform and Consumer Protection Act, that provides an exemption from mandatory clearing of OTC derivatives transactions for those entities who hedge for purposes of limiting commercial risk. The Senate should support a similar exemption so that the final legislative language does not harm the ability of public power utilities to hedge against price volatility; and

That APPA supports legislative language that explicitly gives FERC primary jurisdiction over RTO products such as FTRs so that FERC may continue to administer these important tools, and similarly, for the intra-state ERCOT market which is not FERC language that continues the primary jurisdiction of the Public Utility Commission of Texas over products such as FTRs in that region; and

That in the case of market manipulation in RTO markets, APPA recognizes that CFTC's expertise in investigating manipulation would be invaluable, and encourages Congress to allow CFTC and FERC to work together to prevent manipulation in the energy markets. (2010)

28. That the CFTC and prudential regulators should exempt from margining requirements swap transactions that are not cleared in which one party is a commercial end user, including any requirement to post cash or non-cash collateral; and

That the CFTC should exclude commercial end users, and in particular not-for-profit end users, from the definitions of “major swap participant” and “swap dealer;” and

That the CFTC should convene a process for energy industry market participants and stakeholders to develop reporting standards and develop a consistent approach that would simplify both data record-keeping and reporting end users; and

That the CFTC should not claim jurisdiction over FERC-regulated markets, services or products, and should exclude Federal Power Act Section 201 (f) transactions from CFTC regulations; and

That the SEC should modify the proposed rules so that the definition of “municipal advisor” does not include any board member of a municipal entity. Second, the proposed rules should be modified to better clarify the circumstances under which a broker-dealer is acting as a municipal advisor. Third, the proposed rules improperly extend the restrictions on municipal advisors to investments of municipal entities made with funds that are not bond proceeds and these results should be changed; and

That Congress should pass legislation giving the regulatory agencies additional time to implement Title VII of the Dodd-Frank Act, structuring that legislation to ensure that the agencies define all necessary terms such as “swap” before moving forward with additional rulemaking. (2011)

29. That the American Public Power Association (APPA) calls on the EPA to recognize the vital nature of the units operated by municipal systems and modify the NESHAP regulations to:
- Allow for the use of these units during planned maintenance outages under the emergency designation with appropriate record keeping of the cause and duration of the event.
 - Allow for the use of these units for voltage support under the emergency designation with appropriate record keeping of the cause and duration of the event.
 - Allow for the use of these units for system support in cases of inadequate transmission capacity under the emergency designation with appropriate record keeping of the cause and duration of the event.
 - Increase the number of hours of non-emergency operation allowed for units taking the emergency designation to 100 hours for participation in emergency demand response programs.
 - Eliminate the prohibition for electric utilities to receive financial compensation for the presence or operation of these emergency engines and allow for compensation consistent with RTO/ISO demand response programs. (2011)
30. That the American Public Power Association (APPA) requests a postponement of efforts to impose an EIM in the West, to allow for further study of the cost effectiveness of an EIM and EIM alternatives; and

That APPA urges consideration by DOE, WECC, Governors, state commissioners, and other policy makers, of on-going efforts that meet the needs of variable resource integration at a reasonable cost that do not create undue regulatory and technical burdens on the region; and

That APPA urges that such further study include an analysis of statutory and contractual provisions that impact EIM formation and operation and an analysis that separates those benefits that might accrue from those that are being and will be realized from renewable energy integration efforts already underway in the region. (2012)

31. That APPA opposes all RTO tariff provisions that impede the ability of public power systems to obtain through self-supply sufficient power supply and demand-side resources to serve their retail loads at least cost, taking into account short-term and long-term portfolio needs, resource diversification, and environmental considerations; and

That APPA urges FERC to review all capacity market buyer-side mitigation provisions like the MOPR a generic, rulemaking proceeding and to revise those rules that are found to interfere with the ability of public power systems to procure through self-supply generation and demand-side resources needed to serve their load; and

That APPA opposes the creation of any new capacity markets or new RTOs in any region of the country. (2013)

32. APPA urges FERC to require that, after a transition period to be determined by the three Eastern RTOs in conjunction with their stakeholders and state commissions, annual capacity market auctions would become voluntary and residual for both buyers and sellers
33. APPA urges FERC to restore and ensure the ability of public power systems to self-supply their own loads with their own resources by guaranteeing that these resources will clear the relevant capacity market auctions
34. APPA urges FERC to adopt changes to the relevant capacity market rules that preserve the rights of state regulatory commissions and local authorities to set procurement rules to meet public policy goals established by state and local regulatory authorities, including but not limited to replacing older generation, entering into long-term contracts, using tax-exempt borrowing authority, and favoring resource types preferred under state and local law and policy (2014)
35. That the American Public Power Association (APPA) believes that the ability of public power utilities and other load serving entities to self-supply capacity should not be impaired and states that do not currently have a mandatory capacity market should not be forced to accept one; and

That APPA urges Congress to enact legislation prohibiting regional transmission organizations (RTOs) from impairing the ability of public power utilities and other load-serving entities to self-supply and requiring any RTO seeking to adopt a mandatory capacity market to first obtain consensus from all states in that region. (2016)

36. That the American Public Power Association (APPA) believes it is important that the administration of the Federal Power Act (FPA) be thoroughly reviewed; APPA calls on the House Energy & Commerce Committee and the Senate Energy & Natural Resources to conduct oversight briefings and hearings on the Federal Power Act; and

That APPA will continue to actively engage with federal agencies through the public rulemaking process on proposed FPA regulations and policies that impact public power utilities. (2017)

37. As with other organized wholesale markets, the American Public Power Association (APPA) urges that evaluation of any proposals to expand the California Independent System Operator (CAISO) and augment the Energy and Balance Market (EIM) consider primarily whether such proposal would positively impact consumer welfare and avoid impediments to the public power business model; and

APPA views full participatory governance as essential to any regionalization of CAISO-operated markets, with such governance including an independent board representative of regional interests and views of market participants and consumers; a standing committee providing a forum for market participants, including public power, to provide direct input to the board; and full transparency of stakeholder and board processes; and

APPA supports a thorough evaluation of the EIM and any future augmentation to ensure that the potential benefits of the EIM or other market options sought by public power are maximized while the risks are managed and mitigated. (2018)

38. That the American Public Power Association (APPA) urges the Federal Energy Regulatory Commission (FERC), to grant rehearing of its June 29, 2018, and December 19, 2019 orders in Docket Nos. EL16-49-000, et al. and reconsider its unreasonable and unlawful decision to apply a Minimum Offer Price Rule (MOPR) to new public power self-supply resources in PJM Interconnection; and

That APPA reiterates that FERC should ensure that RTO tariff provisions do not impede the ability of public power systems to obtain through self-supply sufficient power supply and demand-side resources to serve their retail loads at least cost, taking into account short-term and long-term portfolio needs, resource diversification, environmental considerations, and any other policy preferences of their communities; and

That APPA reiterates that FERC should ensure that capacity market rules preserve the rights of state regulatory commissions and local authorities to set procurement rules to meet public policy goals established by state and local regulatory authorities, including but not limited to, replacing older generation, entering into long-term contracts, using tax-exempt borrowing authority, and favoring resource types preferred under state and local law and policy. (2020)

ELECTRIC AND HYBRID VEHICLES

1. Urges a large-scale research and development effort to bring electric vehicles to the market. (1966)
2. Commends efforts of its members in demonstrating and using electric vehicles in their localities, supports introduction and passage of federal legislation to encourage development and use of electric vehicles, urges the Department of Transportation to demonstrate electric buses under its research program in mass transportation, and other governmental agencies, particularly the Post Office Department, to utilize electric vehicles in their work. (1967, 1969)
3. Supports federal government procurement of low-emission vehicles, including those powered by electricity, in order to demonstrate that such vehicles can perform without causing harmful air pollution. (1970)
4. Supports the prompt development of a national energy policy that includes the following balanced consumer provisions for end-use efficiency, renewable resources, advanced generating technologies, and efficiency of utility supply. Combined, these policies will increase energy and economic efficiency and improve our national energy security with limited impact on the environment.
 - o **Strategy Development.** To ensure a balanced and unbiased approach, enhanced energy policy discussions and informational briefings between the Department of Energy (DOE), the American Public Power Association (APPA), public power utilities, and the Office of Management and Budget (OMB) are necessary.
 - o **End-Use Efficiency.** In order to ensure the wise use of existing resources, any national energy plan should include:
 1. national labelling requirements and reasonable standards for lighting, windows and appliances that are periodically revised to recognize technological advancements;
 2. improved distribution and availability of compact fluorescent light bulbs and other efficiency equipment;
 3. facilitation of the use of conservation and energy efficiency equipment by providing that utility rebates are not considered taxable income;
 4. sufficient and stable funding of federal programs designed to offset the cost of energy consumption and energy efficiency investments for low-income households;
 5. an appropriate and achievable increase in the Corporate Average Fuel Economy (CAFE) standard for automobiles and the "crediting" of electric vehicles in the calculation of CAFE standards;

6. federal research for the development of electric vehicles, including development of cost-effective batteries;

7. technical assistance for the development and use of integrated resource planning by electric utilities;

8. national home energy efficiency guidelines for new home construction that can be used in the development of climate- and locale-specific standards; and

9. federal energy efficiency standards for mobile, manufactured, and public housing.

- o **Renewable Technologies.** Utilization of renewable resources reduces dependence on unstable foreign energy supplies and emissions of pollutants. Steps must be taken to fully utilize existing renewable resources and facilitate the development and use of additional renewable resources. Such steps should include:

1. preservation of existing policies governing the sale of federal hydropower and proper maintenance and cost-effective upgrading of existing federal hydroelectric facilities to maintain the efficient use of this precious resource;

2. prevention of the decentralization of the Federal Energy Regulatory Commission (FERC) hydroelectric licensing process;

3. an expanded partnership program between federal and non-federal participants for the demonstration of emerging renewable technologies;

4. reasonable incentives, equally afforded to all utilities, to defray the cost of installing renewable technologies; and

5. expanded federal research and development in renewable technologies.

- o **Advanced Generating Technologies.** Advanced technologies and transportation policies are needed to promote the efficient use of traditional fuels, including coal, gas, and uranium. Specific program needs include:

1. federal assistance for the development and demonstration of utility-scale fuel cells;

2. continued federal cost-sharing of advanced clean coal technologies;

3. a rational federal resolution of the so-called WEPCO controversy that allows cost-effective, and frequently environmentally beneficial, modifications and refurbishments of existing generating facilities;

4. Federal eminent domain authority for the construction of coal slurry pipelines;

5. the development and licensing of standardized, passively safe nuclear generators; and

6. the timely development of an acceptable nuclear waste program.

- o **Efficient Use of Utility Facilities.** In order to avoid unnecessary duplication of existing and future utility facilities and to maintain competition and diversity in the electric utility industry, a national energy policy should:
 1. establish policies and procedures to ensure access to existing surplus transmission capacity is made available to all utilities under just, reasonable and non-discriminatory terms and conditions and provide for the construction of future transmission capacity on a jointly planned basis; and
 2. remove the discriminatory restrictions placed on private use of public power facilities financed with tax-exempt bonds in order to promote the efficient sizing and use of these facilities.
 - o **Effective Regulation.** To protect the interest of consumers, effective regulation of electric utilities by independent regulatory commissions such as the Federal Energy Regulatory Commission and the Securities and Exchange Commission, must be preserved. (1991)
 - 5. Calls on the Congress to appropriate the necessary funds to implement the commercialization of electric vehicles, including support for infrastructure, development, and deployment. (1993)
 - 6. Calls on the Congress to appropriate the necessary funds to implement the commercialization of electric vehicles, including support for infrastructure, development, and deployment. (1993)
 - 7. That the American Public Power Association support federal legislation that creates full or partial credits for the purchase of new hybrid vehicles, which would afford publicly owned utilities subject to the 1992 Federal Energy Policy Act requirements regarding the purchase of alternative fueled vehicles other options for compliance with the 90% AFV requirement. (2005)
 - 8. That the American Public Power Association continues its long tradition of supporting electric vehicles, specifically supports plug-in electric hybrids, will support all reasonable programs designed to promote the development of and create markets for plug-in hybrids, will look for opportunities to work with the Set America Free Initiative to promote plug-in hybrids, will encourage the Congress and the Department of Energy to pursue advance battery technologies to further improve the performance of and thus further enhance the attractiveness of plug-in hybrids, and will work with its members and others on programs to convince auto manufacturers that there is a significant market ready and anxious to purchase such vehicles. (2005)
 - 9. That APPA continues its support of flexible-fuel PHEVs through the national “Plug-In Partners” grassroots campaign.
- That APPA will support all reasonable programs to promote the development of PHEVs, and will continue to look for opportunities to work with the other “Plug-In Partners” to promote plug-in hybrids.

That APPA encourages Congress and the appropriate federal agencies to pursue the advanced battery technologies that will further enhance the viability of PHEVs. (2006)

10. That APPA continues its support of flexible-fuel PHEVs through the national “Plug-In Partners” grassroots campaign; and

That APPA will support all reasonable programs to promote the development of PHEVs, including the EPRI trouble truck project, and will continue to look for opportunities to work with the other “Plug-In Partners” to promote plug-in hybrids; and

that APPA will encourage Congress and the appropriate federal agencies to promote the development and deployment of PHEVs through:

- Funding Plug-in Hybrid demonstration projects for city and local governments;
- Creating tax incentives for the manufacturers of PHEVs and the manufacturers of advanced battery technology;
- Encouraging American consumers to purchase PHEVs through federal income tax credits, and;
- Requiring federal fleets to purchase plug in hybrids for daily in-town short distance driving. (2007)

11. That the American Public Power Association supports policies that incent production and deployment of electric vehicles and charging infrastructure, including tax incentives, a robust national vehicle emissions standards program that incorporates state authorities, and improving average fuel economy standards for cars and light-duty trucks; and

That APPA urges Congress to consider the benefits of increased electric vehicle deployment when evaluating transportation or energy policy. (2018)

ENVIRONMENT

1. Endorses the concept of a national "wild river" system; supports the criterion established by the Senate Select Committee on National Water Resources; urges mandatory public hearings in the affected region for all river reaches considered for designation as "wild"; recommends that proposals for designating rivers for inclusion in the "wild rivers" system be made only with supporting economic and other data in the same manner as proposals for undeveloped rivers to aid in identifying their most beneficial use; and believes that valuable multiple purpose sites needed for flood control and other essential purposes, including enhanced recreation, except in areas reserved for municipal water supply, should not be lost by perpetual exclusion for limited single-purpose usage. (1965)
2. Supports legislation which will help curtail pollution of the nation's rivers by providing increased funds and early implementation of minimum standards of pollution control at the federal level and by supplying opportunity for maximum participation at the state and local level. (1966)
3. Supports research and development programs aimed at perfecting and implementing methods of reducing and preventing the exhaust of pollutants into the air, at a cost which will not result in an undue burden upon electric consumers; and recommends that federal, state, and local air pollution standards be established as soon as careful and deliberate consideration as been made of all social, health and economic factors, including consideration of research carried out by the Electric Research Council and others, and recommends that Congress include in any legislation granting incentives to private utilities for the installation of air pollution control devices, and equivalent monetary grant to publicly owned electric utilities for such facilities. (1967)
4. Supports federal legislation to require applicants for federal licenses or permits to meet state water quality standards, provided that such legislation should contain provisions to assure that this requirement will be administered with the least possible delay of federal procedures and will not apply to any projects which have been granted a federal license or permit. (1969)
5. Urges the President to appoint an independent national energy commission to make a detailed, long-range objective study to include (a) the nation's future requirements, (b) the availability of energy resources to meet those requirement with minimal adverse effects on the environment, and (c) the scope and emphasis of research needed to provide the best utilization of the nation's energy resources; and that such a commission be directed to formulate a proposed national policy on energy development and usage which would take into account such questions as the relative values of various energy resources in light of their availability and impact on the environment, importation and exportation of energy sources, and tax incentives in the development of energy sources. (1970)
6. Adopts as policy the following recommendations of the APPA Water Pollution Task Force to the Federal Water Pollution Control Act:
 - (1) While the goal of "no discharge" of pollutants into waterways by 1985 may be desirable, it is more feasible to direct pollution control efforts toward minimizing the total environmental impact of a particular facility.

- (2) Included in factors defining the "best practicable" technology should be a requirement that the technology has been demonstrated and is operationally feasible. Consideration should also be given to the costs and other related factors involved in requiring installation of best practical control devices.
 - (3) There is a need for a study to consider the economic, social, environmental, and technological implications of the 1981 deadline for application of "best available" water pollution control methods.
 - (4) There should be a special treatment by regulation or study of thermal discharge so that beneficial effects of such discharges may be maximized. Such regulation or study should take into account varying local conditions.
 - (5) The states should be permitted to administer the permit program for discharges of pollutants, without the consent of EPA on the issuance of individual permits.
 - (6) The Environmental Protection Agency should be required to file an environmental impact statement under Section 102 of the National Environmental Policy Act when setting source performance standards, or passing on state plans for administering permit programs.
 - (7) Duplication in certification as to water quality standard compliance should be eliminated in federal licensing or permit proceedings.
 - (8) Provisions included in H.R. 11896 establishing an environmental financing authority should be extended to cover all services provided by state and local governments that may be affected by water pollution control standards.
 - (9) Permits programs under the water pollution control bills should be extended to include authorization of discharges into tributaries of navigable waters. (1972)
7. Adopts as policy the recommendation of the 1972 APPA task force on the surface mining of coal with respect to any federal legislation which would regulate such mining, including minimum standards, implementations of standards, procedural safeguards, orphan banks, and federal reclamation projects. (1972)
8. Supports the program of assistance for energy recovery through solid waste disposal proposed in H.R. 14161. (1974)
9. Urges Congress to change the Clean Air Act so that:
 - (1) There is established an expanded and accelerated program of research, development, demonstration for the purpose of investigating air pollution effects, testing equipment intended to solve verified problems, and designing of facilities which will better protect the public interest in minimizing adverse effects of air pollution.
 - (2) The purpose of the Act is to protect air by establishing national standards of performance for new sources of air pollution and to enhance air quality by attainment and maintenance of national ambient air quality standards established to promote the public health and welfare and productive capacity of the nation's population and resources.

- (3) New standards for pollutants shall be set when there is scientific, economic, and technological data to justify the setting of such standards.
 - (4) On the basis of examining the economic impact of achieving a state implementation plan and the availability of low sulfur fuels and pollution control equipment availability, states should be required to revise their implementation plans.
 - (5) The use of intermittent controls on steam electric power plants is permitted until permanent reduction control systems are proved reliable and economically justifiable.
 - (6) After considering health factors, fuel availability and economic impact of retaining current deadlines, the Administrator of the Environmental Protection Agency shall extend deadlines for compliance with the Act if it is in the public interest. (1975)
10. Supports the coal conversion program but urges that Federal Energy Administration not require a utility to convert or construct a generating unit to burn coal unless it is in the best interest of the consumer in the utility's system. This shall not be done without first determining (1) the availability of sufficient quantities of reasonably-priced suitable coal, (2) the availability of reliable and economic transport for such a goal, (3) the environmental impact of the proposed use of coal, (4) the economic feasibility and (5) the ability to obtain proper construction and operating permits. (1975)
11. Urges that the Federal Water Pollution Control Act be amended to require the Environmental Protection Agency to consider in its effluent guidelines and limitations regional differences so as to conserve water with demonstrated control technology appropriate for each region. (1976)
12. Supports the concept of a national coal conversion program to promote national energy self-sufficiency and to conserve scarce domestic petroleum and natural gas, but believes that no electric utility should be required to convert an existing generating unit to burn coal or to construct a new generating unit with capacity to burn coal until there is a determination that (a) sufficient quantities of reasonably priced coal are available, (b) reliable and economic transport of the coal is possible, (c) environmental impact of the proposed use of coal is acceptable, (d) the conversion is economically feasible, and (e) proper construction and operating permits can be obtained. (1976)
13. Calls upon Congress to amend the National Environmental Policy Act to eliminate the indefiniteness which contributed to confusion and delay in federal programs and projects by establishing procedures for orderly and timely decisions, including a statute of limitations with proper public notice affording a party a time within which any challenge on a decision, must be made. (1976)
14. Believes that development of Western coal on federal lands should be used to eliminate monopoly and, thus, keep energy prices as low as possible; sold at "reasonable prices", not at "all the market will bear"; and developed quickly and efficiently, taking all necessary precautions to protect the environment, in order to attain a high degree of energy independence. (1976)
15. Believes that the federal government has an important role in assisting local publicly owned utilities to meet Clean Air Act standards and, therefore, urges Congress and the

President of the United States to enact, without delay, legislation establishing a federal program of indirect grants for local publicly owned utilities to be used to pay the capital costs for the purchase of fuel gas desulfurization equipment for the control of sulfur-dioxide emissions and other similar pollution control equipment to be used in meeting the national ambient air quality standards. (1977)

16. Suggests the following procedural changes in NEPA for the purpose of preventing unproductive and costly delay:
 - (a) Set up a single format and regulations for all federal environmental impact statements, and require only one statement prepared by a lead agency for a single project, no matter how many federal agencies are involved;
 - (b) Establish a timetable for decision making from the date of filing of an application for a federal permit or license which would include deadlines for (1) determination of whether subsection 102 of the Act requires an environmental impact statement; (2) designation of a lead agency; (3) publication of notice; (4) receipt of comments and holding a public hearing; and (5) issuance of a decision.
 - (c) Provide that failure of the lead agency to comply in a timely manner with deadlines is deemed approval of the application unless the failure to meet deadlines was due to the applicants refusal to cooperate.
 - (d) Encourages use of references to research inventories and prior filings in environmental impact statements rather than insisting on reiteration of existing information.
 - (e) Include a statute of limitations of 60 days which would create a cut-off date for initiation any court action to set aside, enjoin, review or otherwise challenge the adequacy of an environmental impact statement or an administrative assessment be a federal agency that an environmental impact statement is not required.
 - (f) Mandate acceptance by all federal agencies of state economical impact statement if they meet federal standards and prepare model state legislation for this purpose. (1977)
17. Opposes the Natural Diversity Act as drafted as arbitrary, unreasonably broad, partly duplicative of other federal laws, and weighted against a balancing of all public needs, including economic health; urges that should Congress choose to enact this legislation, it incorporate amendments to achieve a balancing of economic and environmental values, including at a minimum the following: (1) the protective measures to be adopted by states and federal land management agencies should be specified legislatively (2) no state action affecting power facilities should be delayed or denied on the basis of uninitiated or incomplete adoption of protective measures for an identified site; (3) state or federal land manager nomination of a registered site for designation as a natural diversity preserve, should be conditioned upon prior consideration of proposed uses of the site to meet other public needs; and a determination that protection of elements of natural diversity at the site is in the public interest. (1978)
18. Opposes S. 2899, amendments to the Endangered Species Act, as drafted as designed to foreclose balancing judgments, rather than facilitate them, and urges action (1) to exempt projects begun before passage of the Endangered Species Act; (b) to base the composition of the proposed interagency committee on a more rational balance of interests, such as including the Secretary of the Department of Energy and the Secretary of the Department of Commerce; (c) to base committee decisions on majority vote; and (d) to set criteria for

exemption of projects which permit a meaningful weighing of factors affecting the public interests. (1978)

19. Calls on the Carter Administration and the Congress to review federal statutes to determine how we can better balance our economic and environmental interests. (1978)
20. Supports Senator Burdick's efforts to establish reasonable time limits for judicial review of environmental impact statements, and further supports Congressional action to correct their deficiencies in NEPA enforcement, including:
 - (a) Establishing a timetable for decision-making from the date of filing of an application for a federal permit or license which would include deadlines for (1) determination of whether subsection 102 of the Act requires an environmentally impact statement (2) designation of a lead agency; (e) publication of notice; (4) duplication and circulation among other federal agencies of a draft statement; (5) receipt of comments; and (6) issuance of a decision.
 - (b) Providing that Council on Environmental Quality regulations shall not be constructed to prevent the preparation of a site specific environmental impact statements for ongoing projects undertaken before completion of subsequently initiate "tiered" national, regional, or programmatic statements;
 - (c) Providing that modifications to law or regulations made after completion of the "scoping" process for an environmental impact statement shall not retroactively affect the scope of such statements. (1979)
21. Urges amendment of the Wild and Scenic Rivers Act to require the appropriate federal officials to provide Congress with specific figures on the potential loss of hydroelectric potential whenever specific rivers are recommended for study and possible inclusion in the Wild and Scenic Rivers system, and that when rivers are designated for study by the Congress, the Act should require that the study include a review of hydroelectric potential lost if the river is included in the system so that the energy needs of the country may be balanced with the need to protect and preserve the environment. (1981)
22. Endorses the following amendments to the Clean Air Act as recommended by the Clean Air Act Task Force:
 - (1) Endorses the Act's existing requirement that National Ambient Air Quality Standards to protect health and welfare be set with a margin of safety,
 - (2) Prevention of significant deterioration (PSD) provisions should be revised so that (a) proven best available control technology (BACT) is used as the controlling technology, (b) Class II and III increments are repealed, (c) Class I short term increments are repealed, and (d) fugitive emissions are excluded. These changes would reduce the costly complexity inherent in the existing PSD program and would result in incentives for the issue of new technology.
 - (3) The Act should be modified so that "integral vistas" are not regulated through inclusion in the visibility protection requirements. Congress excluded "buffer zones" from the visibility program. The Environmental Protection Agency's use of "integral vistas" as a means of avoiding that Congressional ban should be corrected.
 - (4) The statutory dates for attainment of the National Ambient Air Quality Standards (NAAQS) are technically unrealistic and should be extended. There should be a

five year delay in the 1982/1987 attainment dates to allow the states time to utilize new technologies and to correct for the delays given to mobile sources. Specific emergency related provisions to allow the States short term air quality variances should be added.

- (5) Requirements for state Implementation Plans (SIP) should be changed so (a) the state role is increased, (b) discretionary changes are allowed, (c) partial instead of conditional approval is used by the EPA, (d) EPA approval is based on minimum air pollution control requirements and (e) appropriate resources are given to the State plans, and would reduce the burdensome process of near-total EPA review of each SIP change and modification.
 - (6) Acid rain research should continue, with federal support, for five years before decisions regarding regulatory action are made. Existing knowledge about the deposit of acidic material from the atmosphere onto the earth are inconclusive. Should federal action be required, a more conclusive technical base is needed so that proper controls are developed.
 - (7) Required uses of computer modeling should be redefined so that (a) an acceptable level of accuracy is specified, and (b) "worse case" and increment modeling are limited. The computer modeling are limited. Computer modeling of air pollution effects is a very inexact science and cannot detect low pollutant concentration within stringent short term PSD increments. Congress should reduce the use of computer models to lessen uncertainties and clearly state what degree of accuracy is required before regulatory decisions are made.
 - (8) Long range transport controls should be required through the use of Sections 110 and 111, and Section 123, limiting stack heights, should be repealed. Section 123, which includes a reliance on technically unsound computer models should not be the basis for stack height restrictions. Section 110 and 111 allow for the use of other control techniques.
 - (9) Noncompliance penalties (Section 120) should not be assessed against nonprofit public entities since they cannot accrue any economic advantage through willful compliance. Unlike profit making sources, no economic advantage is gained through noncompliance. Compliance is ensured through the application of Sections 123 civil and criminal penalties. (1982)
23. Supports the research efforts of the Interagency Task Force on Acid Precipitation and urges acceleration of the study from 10 years to five years, as well as the provision of all necessary funding; urges that federal research focus not only on the causes and effects of acid precipitation, but also on examining the relative effectiveness and cost-efficiency of cautious strategies to remedy harmful effects from acid precipitation; believes that if controls are shown necessary and effective controls are adopted, they should be required of all sources, utility and industrial, in defined source regions, commensurate with their contribution to the problem; and opposes the premature enactment of legislation requiring immediate SO₂ emission reduction from utilities at great cost and uncertain benefit. (1982)
24. Urges the Congress to explicitly provide that hydro dams are not point sources of pollution within the meaning of the Clean Water Act. (1982)
25. Endorses the following policy positions on reauthorization of the Clean Air Act as recommended by the Clean Air Act Task Force:

- (1) APPA endorses the Act's existing requirement that National Ambient Air Quality Standards to protect health and welfare be set with a margin of safety.
- (2) Prevention of Significant Determination (PSD) provisions should be revised so that (a) proven Best Available Control Technology (BACT) is used as the controlling technology, (b) Class II and III increments are repealed (c) Class I short-term increments are repealed, and (d) fugitive emissions are excluded from calculations of increment consumption. These changes would reduce the costly complexity inherent in the existing PSD program while protecting air quality.
- (3) The Act should be modified so that "integral vistas" are not regulated through inclusion in the visibility protection requirements. Congress excluded "buffer zones" from the visibility program. The Environmental Protection Agency's use of "integral vistas" as a means of avoiding that Congressional ban should be corrected.
- (4) The Act's deadline for attainment of the National Air Quality Standards (NAAQS) should include provisions for such extensions as are necessary for areas unable to meet ambient standards by the current statutory deadline. The statutory attainment dates cannot be met in many areas despite application of reasonable control measures. In addition, to target the Act's sanctions appropriately, nonattainment status should be defined in terms of areas identified by pollutant concentrations, not by political boundaries. Fugitive dust should not count toward determinations of attainment status, although sources should be required to use necessary controls.
- (5) New Source Performance Standards, (NSPS) and Best Available Control Technology (BACT) should be considered equivalent where NSPS has been established, with BACT applied as the controlling standards elsewhere. Lowest Achievable Emission Rate (LAER) requirements should be repealed. LAER, BACT, and NSPS have in most cases imposed essentially identical control technologies, forcing a needless duplication of effort in the review process. In addition, the percentage reduction requirements for new power plant sulfur emission reductions should be repealed and a maximum sulfur emission rate of 1.2 lbs./MMBtu should be applied uniformly.
- (6) Requirements for State Implementation Plans (SIP) should be simplified so that (a) state authority is increased, (b) discretionary changes, including short-term variances, are allowed, and (c) EPA approvals are expedited by setting time limits for the Administrator to act. These changes will result in the SIP's being truly state plans, and would reduce the burdensome process of near-total EPA review of each SIP change and modification.
- (7) Acid rain research should be accelerated, with adequate federal support, for five years before decisions regarding regulatory action are made. Existing knowledge about the deposit of acidic material from the atmosphere onto the earth is inconclusive. Should federal action be required, a more conclusive technical base is needed so that appropriate controls can be applied.
- (8) Requirements for the use of computer modeling should be redefined so that (a) modeling is utilized only when its predictive value meets a specified, acceptable level of accuracy, and (b) "worst case" increment modeling is limited. Computer modeling of air pollution effects is a very inexact science, and cannot detect low pollutant concentrations within stringent short-term PSD increments.
- (9) The Act should give discretion to EPA and the States in the assessment of noncompliance penalties. (1982)

26. Endorses the following policy positions on reauthorization of the Clean Air Act as recommended by the Clean Air Act Task Force:

1. APPA endorses the Act's existing requirement that National Ambient Air Quality Standards to protect health and welfare be set with a margin of safety.
2. Prevention of Significant Deterioration (PSD) provisions should be revised so that (a) proven Best Available Control Technology (BACT) is used as the controlling technology, (b) Class II and III increments are repealed, (c) Class I short-term increments are repealed, and (d) fugitive emissions are excluded from calculations of increment consumption. These changes would reduce the costly complexity inherent in the existing PSD program while protecting air quality.
3. The Act should be modified so that "integral vistas are not regulated through inclusion in the visibility protection requirements. Congress excluded "buffer zones" from the visibility program. The Environmental Protection Agency's use of "integral vistas" as a means of avoiding that Congressional ban should be corrected.
4. The Act's deadlines for attainment of the National AMBIENT Air Quality Standards (NAAQS) should include provisions for such extensions as are necessary for areas unable to meet ambient standards by the current statutory deadlines. The statutory attainment dates cannot be met in many areas despite application of reasonable control measures. In addition to target the Act's sanctions appropriately, nonattainment status should be defined in terms of areas identified by pollutant concentrations, not be political boundaries. Fugitive dust should not count toward determinations by attainment status, although sources should be required to use necessary controls.
5. New Source Performance Standards, (NSPS) and Best Available Control Technology (BACT) should be considered equivalent where NSPS has been established, with BACT applied as the controlling standards elsewhere. Lowest Achievable Emission Rate (LAER) requirements should be repealed. LAER, BACT, and NSPS have in most cases imposed essentially identical control technologies, forcing a needless duplication of effort in the review process. In addition, the percentage reduction requirements for new power plant sulfur emission reductions should be repealed and a maximum sulfur emission rate of 1.2 lbs./MMBtu should be applied uniformly.
6. Requirements for State Implementation Plans (SIP) should be simplified so that (a) state authority is increased, (b) discretionary changes, including short-term variances, are allowed, and (c) EPA approvals are expedited by setting time limits for the Administrator to act. These changes will result win the SIP's being truly state plans, and would reduce the burdensome process of near-total EPA review of each SIP change and modification.
7. The Act's present requirements for listing and setting emissions standards for hazardous air pollutants should be retained. Recent legislative proposals listing suspected pollutants by statute and requiring emissions standards unless the Environmental Protection Agency acts affirmatively to de-list such substances would result in costly controls on substances for which no reliable scientific justification exists.
8. Requirements for the use of computer modeling should be redefined so that (a) modeling is utilized only when its predictive value meets a specified, acceptable level of accuracy, and (b) "worst case" increment modeling is limited. Computer

modeling of air pollution effects is a very inexact science, and cannot detect low pollutants concentrations within stringent short-term PSD increments.

9. The Act should give discretion to EPA and the states in the assessment of noncompliance penalties. (1983)
27. Opposes legislation such as that approved by the Senate Environment and Public Works Committee in the 97th Congress, and believes that if legislation is enacted to address acid rain precipitation problems, its provisions should meet reasonable standards of effectiveness, economy, and equity, including considerations such as (1) acceleration of acid rain research; (2) provisions for mod-course corrections; (3) equitable distribution of requirements among all emitters of acid rain precursors; (4) targeting dollars to the most cost-effective emission reduction measures; (5) mitigative measures, such as lake liming; (7) definable limits on the national expenditures devoted to address specific acid precipitation problems; (8) credit for energy efficiency or non-fossil fuel use; (9) purchasing known benefits with expenditures to the extent possible. (1983)
28. Supports the enactment of acid rain control legislation which meets reasonable standards of effectiveness, economy, and equity within the framework of present scientific understanding; and believes that the elements of such a program should incorporate the following principles:
 - o A nationwide sulfur dioxide and nitrogen oxide emissions tax should be applied to all fossil fueled sources for which an emissions tax is feasible;
 - o The funds derived from the tax should be employed to finance verifiable emission reduction measures;
 - o The purchase of emission reduction measures should not be mandated in excess of the monies available in the fund;
 - o The funds should be applied to the capital costs of the control measures chosen;
 - o Emission reduction measure for stationary sources should be selected in order of cost-effectiveness, including consideration of the remaining useful life of facilities, with allowance made for the administrative consideration of the likelihood of reducing impact in sensitive receptor areas;
 - o The emission reduction program should be divided into two phases, with the second phase to take effect contingent upon affirmative congressional action, including findings that the program is achieving its objectives;
 - o The program enacted should provide for adequate monitoring and continued research to gauge the effectiveness of the emission reduction program;
 - o Emission taxes on stationary sources should be based on actual rather than allowable emissions;
 - o No requirements for offsets for new facilities should be included in the emission reduction program;
 - o Electric utilities should have discretion to include their contribution to the emissions tax as a line item on utility bills, and believes that in no event should the program, or any federal government program, be financed through a nationwide kilowatt hour tax on electricity. (1984)
29. Endorses the following policy positions on reauthorization of the Clean Air Act as recommended by the Clean Air Act Task Force:

1. The Act's existing requirement that National Ambient Air Quality Standards to protect health and welfare be set with an adequate margin of safety.
2. Prevention of Significant Deterioration (PSD) provisions should be revised so that (a) proven Best Available Control Technology (BACT) is used as the controlling technology, (b) Class III increments are repealed, (c) Class II increments are repealed or simplified, (d) Class I short-term increments are repealed, (e) fugitive emissions are excluded from calculations of increment consumption, and (f) PSD permits remain in effect so long as the permit holder is committed to construction. These changes would reduce the costly complexity inherent in the existing PSD program while protecting air quality.
3. The Act should be clarified so that "integral vistas" are not regulated through inclusion in the visibility protection requirements. Congress excluded "buffer zones" from the visibility program. The Environmental Protection Agency's use of "integral vistas" as a means of avoiding that Congressional ban should be corrected. States should be given the option of vetoing retrofits if they are determined not to be in the public interest.
4. The Act's deadlines of attainment of the National Ambient Air Quality Standards (NAAQS) should include provisions for such extensions as are necessary for areas unable to meet ambient standards by the current statutory deadline. The statutory attainment dates cannot be met in many areas despite application of reasonable control measures. In addition, to target the Act's sanctions appropriately, nonattainment status should be defined in terms of areas identified by actual pollutant concentrations, not by political boundaries. Fugitive dust should not count toward determinations of attainment status, although sources should be required to use necessary controls.
5. New Source Performance Standards (NSPS) and Best Available control Technology (BACT) should be considered equivalent where NSPS has been established, with BACT applied as the controlling standard elsewhere. Lowest Achievable Rate (LAER) requirements should be repealed. LAER, BACT, and NSPS have in most cases imposed essentially identical control technologies, forcing a needless duplication of effort in the review process. In addition, the percentage reduction requirements for new power plant sulfur emission reductions should be repealed, and a maximum sulfur emission rate of 1.2 lbs/MMBtu should be applied uniformly.
6. In determining New Source Performance Standards, adequate consideration should be given to size distinctions within categories of new sources where economies of scale exist in pollution reduction measures.
7. Modifications of existing stationary sources should not be liable to New Source Performance Standards review unless the modification results in a significant increase over allowable emissions.
8. The innovative technology waiver of new Source Performance Standards should be modified to: (a) give states the authority to grant waivers subject to federal veto, (b) allow waivers for technologies that may not be able to achieve NSPS emission reductions, but which represent a desirable balance of economic, energy, and emission reduction considerations, (c) grant permanent waivers to technologies that do not meet design expectations, and (d) promote the further development promising technologies.
9. Construction or modification of stationary sources should be allowed in nonattainment areas when the sources meet applicable standards and provisions

are made for lower overall emissions than before the construction or modification commenced.

10. Requirements for State Implementation Plans (SIP) should be simplified so that (a) state authority is increased, (b) discretionary changes, including short-term variances, are allowed, and (c) EPA approvals are expedited by setting time limits for the Administrator to act. These changes will result in the SIP's being truly state plans, and would reduce the burdensome process of near-total EPA review of each SIP change and modification.
 11. The Act's present requirements for listing and setting emissions standards for hazardous air pollutants should be retained. Recent legislative proposals listing suspected pollutants by statute and requiring emissions standards unless the Environmental Protection Agency acts affirmatively to de-list such substances would result in costly controls on substances for which no reliable scientific justification exists.
 12. Requirements for the use of computer modeling should be redefined so that (a) modeling is utilized only when its predictive value meets a specified, acceptable level of accuracy, and (b) "worst-case" increment modeling is limited. Computer modeling of air pollution effects is a very inexact science, and cannot detect low pollutant concentrations within stringent short-term PSD increments.
 13. The Act should give discretion to EPA and the states in the assessment of noncompliance penalties. (1984)
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30. The Act should give discretion to EPA and the states in the assessment of noncompliance penalties. (1984)
 31. Opposes the mandatory listing of PCBs as hazardous wastes under the Resource Conservation and Recovery Act, as required by H.R. 2867, and urges the deletion of such provisions from this legislation. (1984)
 32. Believes that the federal government, acting through the power marketing administration or the Tennessee Valley Authority is not required to prepare an environmental impact statement (EIS) prior to entering into wheeling contracts over existing transmission facilities with non-federal entities and will oppose legislation efforts designed to force an EIS with respect to such contracts. (1984)
 33. Supports either administrative action or legislation, such as H.R. 3070 of the 100th Congress, to require more stringent regulation, permitting, and oversight of PCB brokers and disposal companies. (1988)
 34. Urges that any such legislation or administrative action also require EPA to:
 1. Provide ongoing, routine EPA inspections of both PCB brokers and disposal company facilities to ensure that activities at these facilities are in compliance with the agency's storage and disposal regulations, and
 2. Make available to all PCB generators including all electric utilities the results and findings of the above mentioned inspections. (1988)
 35. The Glen Canyon Environmental Studies Final Report (and associated video tape briefing) is inadequate as pointed out by the National Academy of Sciences review, omits critical data prepared by Western, is biased in its presentation and tone, contains unsupported

statements and conclusions, and presents a distorted picture of conditions along the Colorado River between Glen Canyon Dam and Lake Mead. (1988)

36. Supports further data collection for continuation of the environmental studies by only as part of annual operating plans for normal conditions to collect true baseline data from which to analyze environmental impacts of the operation of Glen Canyon Dam. (1988)
37. Oppose further studies of environmental values for fish, wildlife and recreation mitigation unless such studies are declared nonreimbursable expenses under Section 8 of the CRSP Act and not disguised as operation and maintenance studies paid for by power purchases under Section 5 of the Act. (1988)
38. Urges that prior to any interim change being proposed to river operations for further study purposes, a public process be initiated to answer questions and analyze the impacts of such interim changes to river operations on all interested parties, including power customers, in a public forum. (1988)
39. Urges Congress to amend Section 503 of FLPMA to allow additional rights-of-way to be granted for electric transmission facilities across lands under wilderness review; and urges Congress to amend Section 603 of FLPMA to allow the Secretary of the Interior to administratively modify the boundaries of lands under wilderness review by a maximum of one-quarter mile in order to allow routing of a new transmission line outside of the modified wilderness boundary. (1988)
40. Supports legislation establishing required time intervals for inspection of hazardous and toxic waste treatment, storage and disposal facilities to ensure that regulatory authorities have available timely information and compliance monitoring at such permitted facilities, and requiring that information on the results and findings of the inspections be made available to interested parties. (1989)
41. Supports legislation providing for the affirmative liability of the government, and defense to liability by waste generators in the case of governments neglect to properly permit, inspect, and oversee hazardous and toxic waste treatment, storage and disposal facilities so as to prevent damage to public health and the environment and resulting liabilities and losses. (1989)
42. Established the Task Force on Federal Water and Power Policies, which has issued a report entitled "Resolution of Competing Uses at Federal Water Projects" and believes federal power customers should participate constructively in reconciling the conflicting demands of original and new project interests under the following guidelines:

New Project Purposes and Revision of Existing Purposes

- o beneficiaries of authorized project purposes should not be asked to underwrite the addition of new or expanded project purposes that reallocate project benefits;
- o if project benefits are transferred from one project use to another, cost responsibility must be transferred and lost benefits compensated;
- o changes in project operation or designation of new project purposes must not be pursued on a generic basis, since only case-by-case authorization can ensure that

changes in project operation are warranted, appropriate, cost-effective, do not violate contracts or established rights, and are consistent with national objectives;

Western Irrigation Assistance

- o federal power customers will honor historical financial commitments for authorized but unconstructed irrigation projects under traditional methods of determining project feasibility, financing, and repayment; and, may consider non-traditional assistance, on a case-by-case basis, for such projects or acceptable substitutes that are economically and environmentally acceptable, include substantial local cost-sharing by other project beneficiaries, and provide federal power customers proportionate benefits;

The Environment

- o a distinction between environmental mitigation and enhancement is critical in determining the financial responsibility of federal power customers for efforts to improve environmental conditions at federal multipurpose water projects;
- o all project beneficiaries, and the public at large, must share financial responsibility for environmental mitigation efforts, which encompass those reasonable and cost-effective efforts designed to offset the environmental impacts resulting from construction of these projects;
- o the direct beneficiaries of enhanced environmental opportunities, and the public at large, must bear the financial responsibility for environmental enhancement measures, which comprise those efforts designed to improve the environment to a state that did not exist prior to construction of the facility;

Conservation

- o federal power customers should continue to pursue appropriate, cost-effective end-use and system efficiency measures;
 - o prior to any reallocation of stored project water for consumptive use, federal power customers believe that the intended beneficiary should be required to make a positive showing that the water is needed after the implementation of appropriate, cost-effective end-use water management practices. (1989)
43. Supports the three year study of electric utility emissions contained in the Administration toxic air pollutants proposal and urges Congress to reject the application of toxic air requirements to electric utility facilities as proposed in S. 1630 as excessively costly, premature, and inconsistent with the alleged objective of providing flexibility for utility compliance with acid rain controls. (1990)
44. Within the confines of the House and Senate bills, APPA urges that the following provisions be included in the final legislation:
1. Antitrust protections. To protect against antitrust and anti-competitive practices in the trading of emission allowances, the conferees should accept the provision of the Senate bill that expressly provides that the antitrust laws are applicable to allowance trading, and the requirement in the House bill that the EPA

Administrator, when promulgating allowance trading regulations, include provisions that protect against anti-competitive practices.

2. **Emergency Variance and Natural Gas Curtailment.** To ensure prompt and adequate federal and state response to emergency situations such as unscheduled outages and natural disasters, as well as to ensure that allowances are available to powerplants facing temporary natural gas curtailments, the conferees should strengthen, to the extent possible, provisions for emergency plant operation in excess of the tonnage allowance formulas and for fuel flexibility in gas curtailments.
3. **Allowance Set-Asides.** To assure that allowances are available to utilities which may encounter market impediments, a set-aside of approximately two percent of allowances should be provided and marketed at reasonable cost.
4. **Multiple Owners.** To recognize the rights to allowances of all joint plant owners and life-of-unit firm power buyers, the conferees should incorporate the bills' allocation of allowances in accordance with pro rata share of ownership, and should adopt the Senate provision extending proportionate allocation to include life-of-unit firm power buyers.
5. **Clean Coal Technology.** To advance clean coal technology, the conferees should adopt those provisions of H.R. 3030 and S. 1630 that establish industry-wide incentives, reject the Senate bill's regulatory rate incentives for private utilities, which unfairly target wholesale power buyers to fund CCT projects of power suppliers, and grant funds for CCT projects based on intrinsic criteria for optimum CCT development rather than directing all funds to Phase I plants.
6. **Federal Power Program.** To ensure the continued efficient implementation of exchange agreements of federal power marketing agencies with fossil-fuel-based utilities, the conferees should at a minimum adopt the Senate provision requiring thermal generators that buy power from PMAs as part of an exchange agreement to use their allowances when selling power back to PMAs.
7. **Small "Dirty" Units.** To address the disproportionately high costs of emission reductions at small generating plants, the conferees should adopt H.R. 3030's exclusion of units under 25 megawatts of capacity from bill requirements, and S. 1630's allowance formula for utilities with total fossil steam capacity under 250 megawatts.
8. **Small "Clean" Units.** To avoid arbitrary restriction of energy generation from clean, small municipal plants with limited operation in the baseline years, the conferees should adopt the Senate bill's language which specifically provides for operation of small municipally-owned oil and gas units at workable capacity factors.
9. **Nitrogen Oxide Reductions.** To achieve cost-effective NO_x emission reductions, the conferees should adopt the NO_x reduction provisions of H.R. 3030, which require EPA to establish a NO_x emission rate based on low-NO_x burners and provisionally exempt cyclone and wet-bottom boilers. Inconsistent requirements

under Title I of H.R. 3030 that could impose more stringent NO_x controls on some powerplants than Title V's acid rain provisions, should be dropped.

10. Firm Power Customers. To recognize the role of wholesale customers in sharing costs and risks of power supply facilities, including emission control costs, and the reliance of wholesale customers wishing to construct independent generating facilities on the owners of allowances for access to this resource, the conferees should consider providing a wholesale customer right of first refusal when a supplying utility offers allowances for sale.
 11. Visibility. To provide adequate scientific basis for, and assurance of effective and accurate control of sources of visibility impairment, the conferees should adopt the Senate provision calling for research on visibility issues, visibility-related monitoring, and assessment of improvements likely to result from the Clean Air Act of 1990, followed by regulation if found scientifically warranted by the study, and should reject the House bill's requirement for regional haze regulation and tracer studies in the West regardless of justification or workability.
 12. Allowance Set-Asides for Clean States and Specific Problems. House and Senate bills provide flexibility to address certain regional and specific inequities due to rigid application of various allowance formulas based on emission rates and operating periods. The conferees should address these problems to find appropriate remedies. (1990)
45. Calls for an amendment to the Clean Air Act limiting the application of WEPCO so utilities can undertake life extension and modification programs at existing fossil fuel burning facilities in order to:
1. Increase the efficiency or reliability of existing power plants through physical or operational alternations;
 2. Maintain and modernize existing power plants; or
 3. Make needed in-kind component replacements. (1990)
46. Applauds recent White House recognition of the need for legislative language to clearly address WEPCO in the final clean Air Act reauthorization. (1990)
47. Urges the Congress to include in any acid rain legislation provisions that would protect the ratepayers' rights to obtain, either by investment in utility plant or by rate relief, the economic benefits associated with the use, sale, and trading of allowances when the ratepayers have paid the capital and operating costs necessary to create such allowances. (1990)
48. Supports the Glenn/Nowak legislation, S. 2244/H.R. 4214, and the Moynihan legislation, that would prevent and control infestations by the zebra mussel and other nonindigenous aquatic nuisance species in the waters of the United States. (1990)

49. Supports the establishment of a coordinated research, control and education program to identify and implement the best management practices for the control of the zebra mussel and other nonindigenous aquatic nuisance species in the United States. (1990)
50. Opposes mandatory reductions of carbon dioxide emissions and imposition of carbon taxes without documented scientific and economic justification. (1990)
51. Believes that any legislation enacted by congress to address the impacts of Glen Canyon Dam must:
 1. Not interfere with the ongoing Environmental Impact Statement (EIS) process so that the Secretary will be presented a balanced EIS as required by the National Environmental Policy Act (NEPA);
 2. Not restrict examination of all reasonable alternatives, both non-operational mitigating measures as well as changes in power plant operation;
 3. Not interfere with the Secretary's current authority to implement interim mitigating measures, including interim water release criteria;
 4. Ensure an equitable allocation of the costs associated with the EIS and related studies; and
 5. Not invade the provisions of NEPA so as to prevent that Act from being complied with throughout the interim decision-making, the EIS and subsequent decision processes. (1991)

52. Urges that a uniform and comprehensive Federal plan be developed that will permit the Environmental Protection Agency (EPA) to analyze visibility protection on a regional basis and to develop regional solutions to these regional problems. Such a comprehensive approach would most effectively promote the balance between the environment and economic concerns required by the Clean Air Act (CAA). This strategy also would promote broad, rather than piecemeal, remedies for visibility problems and therefore offer greater chances of long-term success. (1991)
53. That in devising such a comprehensive approach, the Federal government should rely extensively on the studies of the Regional Visibility Transport Commissions authorized by the CAA Amendments. EPA and other Federal agencies should cooperate fully with the work of the Commissions. The comprehensive plan also should take into account the improvements in visibility that will occur from implementation of other emissions reduction provisions of the 1990 CAA Amendments. (1991)
54. Opposes amendments to the Clean Water Act, including S. 812, that expand the section 401 permit process beyond consideration of water pollution and water quality standards. Such changes would erode the authority of the Federal Energy Regulatory Commission in the exercise of its statutory responsibility to impose conditions in the licensing of hydroelectric facilities that balance all competing uses of the water resource. (1991)
55. Urges the Environmental Protection Agency (EPA) to include in regulations implementing the Clean Air Act Amendments of 1990 the following provisions:
- o Allowance Trading Information Disclosure. In order for the acid rain allowance trading program to operate efficiently, all transfers must be recorded in a timely fashion and publicly disclosed. The resulting information is essential for effective market functioning, economic regulation, and program integrity.
 - o Minority Owner Protections. The statutory protections afforded minority owners of affected units must be protected through a clear delineation of the responsibilities of the designated representative to fairly represent and protect the interests of joint owners in the allowance trading system.
 - o Reasonable Ability for Opting-In. While units 25 MW and less are not directly affected by the acid rain program, the statute allows the owners of these units to elect to participate in order to reduce emissions and receive allowances. This program must be properly structured to provide sufficient incentive and opportunity for participation.
 - o Cost-Effective Monitoring Program. The statutory emissions monitoring program should be implemented in a manner that: sets realistic goals for in-stack monitoring equipment; does not unreasonably penalize utilities for equipment failure; and allows the use, where feasible, of simple "bookkeeping" alternatives to the installation of expensive monitoring equipment, particularly for small units. EPA should expedite the promulgation of monitoring regulations so that utilities avoid the risk of installing monitoring equipment that is later found incompatible with EPA requirements.

- o Provision of Book Closing Period. Variations in weather, unanticipated operational abnormalities and inaccuracies in emissions monitoring equipment may lead to minor exceedences of emissions limitations. The provision of a reasonable "true-up" period after the end of the calendar year in which prior year allowances can be traded to cover these exceedences will promote market and operational efficiency with no adverse environmental consequences.
- o Accuracy of Data Base. The integrity and equity of the allowance system is dependent on the accuracy of the relevant data on historic operations. Every opportunity should be provided to ensure the accuracy of this data.
- o Allowance Pool Definition. Regulations governing allowance pools should ensure that this compliance mechanism is not employed to promote anti-competitive aims or shield market information.
- o Conservation and Renewable Energy Incentives. A limited incentive is provided for certain investments in conservation and renewable energy. In order for these incentives to achieve and maximize the intended goals, the program should be structured to provide some incentive to the greatest number of participants.
- o Reasonableness of Permit Fees. Title V allows state agencies to collect potentially substantial fees for administration of the Title V permitting process. Guidance should be provided to ensure the reasonableness of the fees, including a recognition of the limited resources of smaller systems and a stipulation that fees should be set to recover only the costs of the permitting program. (1991)

56. With respect to social costing, supports:

- a. The orderly and systematic evaluation of external impacts as one of the tools for planning in all sectors of the economy, including the delivery of electric service.
- b. Recognition that the proper scope of externality assessment extends beyond environmental impacts to include benefits as well as costs.
- c. The thorough evaluation of related societal and environmental costs and benefits when making decisions on the siting, construction, and operation of an electric power system.

And urges that:

- a. APPA should take a leadership role in advocating the ultimate development of a common method of evaluating externalities as part of the rigorous planning process for the siting, construction, and operation of facilities in all sectors of the economy, including the electric utility industry.
- b. APPA recognizes that a common analytical methodology does not necessarily imply the adoption of common economic values for specific external impacts for all localities. While decisions taken by one locality may affect others, the basic political process to determine how these economic estimates are used is local. A common methodology permits interdependent localities to cooperate in the resolution of transboundary issues. (1992)

57. Supports legislation that will encourage environmentally acceptable ways to dispose of used oil, including combustion of such oil in utility boilers. APPA opposes the listing of used oil as a hazardous waste under the Resources Conservation and Recovery Act since such listing would frustrate, not enhance the collection and environmentally acceptable disposal of used oil. If burning of used oil is dependent on its lead content, sufficient flexibility should be provided so as not to discourage the collection and burning of used oil. (1992)
58. Supports the reauthorization of the Clean Water Act, but opposes amendments to the Act, such as those contained in S. 1081, that would eliminate the section 316 thermal variance authority for states, the section 301(g) chlorine variance, and provisions that would expand the scope of current state and EPA regulatory authority over hydropower facilities. (1992)
59. Supports the goals and objectives of the Endangered Species Act, but recommends that a thorough study of the Act's successes and shortcomings be undertaken by the National Academy of Sciences (NAS) prior to reauthorization. And, in addition the Academy's study should also consider: workability of the permitting and interagency consultation process; adequacy of the listing/delisting process and public notification; workability of the exemption process and "god squad" committee; implications of activity restrictions after listing of both endangered and threatened species; availability of sound scientific data; impact of critical habitat programs on existing and nearly-completed projects; role of habitat protection in contribution to the conservation of species; and effects of an ecosystem approach to recovery planning. (1992)
60. Urges the House and Senate conferees on the comprehensive national energy policy act to resolve their differences and support the House provisions on EMF which provides for a 5-year, \$60 million electric and magnetic field research program to be jointly funded by federal and non-federal sources. (1992)
61. Urges Congress to act expeditiously on all Presidential wilderness recommendations so as not to preclude non-wilderness activities that benefit society as a whole on lands that lack wilderness characteristics. (1993)
62. Supports establishment of formal consultative processes and urges the Secretaries of Interior and Energy to fully implement the intent and spirit of the consultations required in the Grand Canyon Protection Act. (1993)
63. That with respect to procedural amendments and refinements of the Endangered Species Act, APPA urges Congress to consider the following specific modifications:

1. Listing and Delisting

- Peer Review: After a species is proposed to be listed, if a written request containing an adequate basis for questioning the proposed listing is received by the Secretary, then the proposed listing should be reviewed by a panel of independent and qualified scientists. The decision of the review groups shall be binding, based on proved scientific evidence.
- Judicial Review: Decisions to list, as well as decisions not to list, should be subject to judicial review.

- **Delisting:** Measurable objective criteria for delisting should be required to be included in the recovery plan.
- **Critical Habitat:** Critical habitat should not be designated prior to the development of a recovery plan; the Secretary must measure the impacts, including the economic implications, of both designating and specifying a particular area (or areas in the case of migratory species) as critical habitat; all reasonable alternative critical habitats considered by the Secretary must be described and the economic impacts of each alternative, including the one selected, must be described. Critical habitat designation should continue to be subject to compliance with the National Environmental Policy Act.

2. Recovery Plans

- **Candidate Species:** Recovery plans should require federal agencies, to the extent practicable, to identify measures that benefit listed species which also benefit candidate species.
- **Inventory:** Federal resource management agencies should be directed to conduct inventories of all listed and candidate species on federally managed lands and waters, and identify measures for recovery of listed species that also minimize adverse impacts to candidate species.
- **Reconsideration:** The Secretary should be authorized, but not required, to revise existing recovery plans as necessary to meet new standards.
- **Priority:** In addition to giving priority to species most likely to benefit from a recovery plan, as required under the Act, the Secretary should also give priority to multi-species least cost recovery plans, including resolution of conflicts among species.
- **Recovery Team:** The Secretary should develop and implement plans with an impartial multi-disciplinary team working in cooperation with relevant state and local agencies and other affected parties.
- **Assessments:** The Act should require the development of recovery plans that would achieve biological objectives, while minimizing social/economic impacts of recovering the species.
- **Public Hearings:** The Secretary should take all reasonable steps to inform the affected public, including the publication of notice in the local media and the holding of public hearings in the areas affected by the plan, prior to finalizing the recovery plan.

3. Cooperation with States

- **Cooperative Management Agreement:** The plan should allow the incorporation of cooperative management agreement into the recovery plan, and where a CMA has been so incorporated deference should be given to the CMA.

4. Consultation

- Responsibilities of Other Agencies: The Secretary should be required to consider the impact on listed species of multiple agency actions together, and the Secretary should consolidate requests for consultations from various federal agencies whose proposed actions may affect endangered or threatened species.
- Customer Participation: The Act should provide for participation in federal consultations by customers of federal agencies involved in consultations.
- Consultation: When a listing decision is made, the Secretary should establish and notify the public of a procedure where a person can receive a "takings assessment" to determine whether particular activities constitute a taking.
- Compliance with Approved Plan: Section 7 consultations should be designed to ensure compliance with recovery plan.

5. Enforcement

- Standing: The Act should provide for standing and intervention by citizens or organizations suffering economic injury as a result of Critical Habitat and Recovery Plan designations taken under the Act.
- Emergency Exemptions: An exemption from enforcement actions should be provided in cases where there is a substantial and imminent threat to public health and safety. (1993)

64. Reaffirms its position that final Congressional action on the reauthorization of the Endangered Species Act should await the results of the review of the National Academy of Science. (1993)
65. Supports the cost-effective development of the full hydroelectric capacity of existing federal dams, but vigorously opposes the Clinton Administration's proposal for private financing of improvements to federal hydropower facilities with the sale of such power at market rates and not subject to existing federal power marketing laws and policies. (1994)
66. Believes when traditional federal funding and development of capacity additions and improvements is not feasible, other alternatives should be examined. Such alternatives among others could include the creation of revolving funds (with appropriate contractor and Congressional oversight) for Southeastern, Southwestern and Western Area Power Administrations similar to the revolving fund authority granted Bonneville Power Administration to finance capacity additions at Bureau and Corps dams in the Energy Policy Act of 1992, or nonfederal financing through cost-sharing arrangements so long as the benefits of coordinated federal operation are preserved. However, these and other possibilities alternatives must be consistent with: 1) federal preference laws; (2) federal control over development of federal water and power resources; (3) federal marketing of power from federal projects; and (4) cost-based pricing of federally-developed water and power resources. (1994)

67. Reaffirms its previous support for a workable opt-in program, and calls on the Environmental Protection Agency to establish a workable, flexible, opt-in program that will allow electric generating units of 25 MWe and less to retire those units, reduce emissions and obtain allowances for new generation. Failure to do so would be inconsistent with Congressional intent and counterproductive, encouraging many older, inefficient and polluting units to continue operating at considerable cost to the environment. (1994)
68. Reaffirms its view that the Federal Energy Regulatory Commission should have the final authority to accept, reject or modify water quantity conditions recommended by state agencies as well as other federal agencies, and that FERC must exercise that authority recognizing that it also has the responsibility to ensure that full and fair consideration is given to balancing all competing uses of the nation's falling water resources and to ensure that the overall public interest is served. (1994)
69. Committed to the success of voluntary, cost-effective greenhouse gas emissions reduction, prevention and sequestration efforts reflected in the Global Climate Challenge. APPA will encourage its members to participate in this program, and will work closely with the Administration to ensure that the needs and interests of public power systems are reflected in the Global Climate Challenge program and in the implementation of the Voluntary Reporting Systems program. (1994)
70. Reaffirms its support for continued research and its opposition to mandated greenhouse gas emissions reduction programs that lack solid scientific justification. (1994)
71. Should take the necessary steps to resolve any potential conflicts between provisions of the Federal Power Act and the Clean Water Act by restricting conditions that FERC must accept under the Clean Water Act to those relating to water purity. (1994)
72. Urges Congress to reauthorize the Endangered Species Act during the first 100 days of the 104th Congress and to incorporate changes in the Act consistent with the policies endorsed by APPA in 1993. (1995)
73. That to encourage reauthorization of the Endangered Species Act in 1995, APPA urges Congress to prohibit expenditure of funds for additional listings of threatened or endangered species after the beginning of Fiscal Year 1996 (October 1, 1995) and the limitation on the use of such funds should continue until the Act is reauthorized. (1995)
74. Supports the reauthorization of the Clean Water Act, opposes amendments to the Act that would eliminate either the section 316 thermal variance for the states or the section 301(g) chlorine variance, and supports amendments that would restore the appropriate balance necessary to retain multiple benefits of hydropower facilities. (1995)
75. Urges the U.S. EPA to recognize that the costs of installing continuous emissions monitors (or their equivalent) on generators of 25 MW or less, exempted by Congress from the requirements of the acid rain control provisions of the Clean Air Act, and new units of the same size burning low sulfur fuel, would not yield emissions reductions or other environmental benefits but would be so expensive as to jeopardize the continued operation of these small generators. (1995)

76. Calls on EPA to provide an explicit exemption from its enhanced emissions monitoring rules for such small generators. (1995)
77. Supports the following principles on the visibility issue:
1. Support the national visibility goal established in the Clean Air Act and its requirements for the Administrator and the states to implement regulations to make reasonable progress toward achieving that goal.
 2. Support a process that establishes a rate of reasonable progress that, if necessary, duly considers visibility improvements with the energy security and economic needs of each state, as well as the transport region as a whole.
 3. Include in any emissions management strategy all sources of emissions, including those emissions originating outside the region, relative to the amount of emissions they produce. All significant sources/source categories must be held responsible for their fair share of emissions reduction.
 4. Emissions originating outside the region must be considered.
 5. If scientific evidence and expected visibility benefits of "clean air corridors" warrant their establishment, the ability to site new sources of emissions (industrial, energy or other) must be preserved. Clean Air corridors are areas from which clean air flows to Class I areas.
 6. Voluntary emission reduction programs should be given high priority by decisionmaking bodies. All emission reductions achieved through voluntary or other regulatory programs should be given full credit if mandatory programs are needed in the future.

If further emission reductions are required over the results of implementing the CAAA, source operators should be given maximum flexibility to achieve the desired emissions reductions using the most cost-effective approach, i.e., using a market-based emission trading system, including inter-pollutant trading. (1995)

78. Will urge Congress to revisit the Clean Air Act Amendments of 1990, specifically those areas that have and will force public power generators enact high-cost compliance measures unless clearly justified by scientific evidence and by a cost/benefit analysis. (1995)

79. Will encourage Congress and the EPA to delay or suspend development of major new regulations to allow some real assessment of the air quality improvements that are now being realized from the enforcement of first phases of the Amendments. (1995)
80. Will communicate the concerns of public power generators to Congress and support efforts by these generators to revisit specific sections of the Amendments to enact meaningful reform, including but not limited to; (1) opt-in regulations; (2) short-term ambient air quality standards for sulfur dioxide; (3) reduction of ozone ambient air quality standards; (4) Title V air emission permitting (including enhanced monitoring requirements); (5) ozone transport region issues; (6) national emission standards for hazardous air pollutant sources; and (7) air quality non-attainment issues. (1995)
81. That public power fully supports the public's right to clean air and endorses the goals and objectives of the Clean Air Act to protect human health and the environment. Public power believes that this fundamental commitment to the environment, however, must be balanced by the responsibilities and obligations that it has to the local citizens that own and are served by its electric systems. (1997)
82. Urges EPA to abandon its proposed requirements for extensive additional coal analyses at power plants. (1998)
83. Tax exempt financing for all units of state and local government should remain available for pollution control facilities. (1998)
84. APPA will play a leadership role in the development and promotion of federal energy and environmental policy that encourages the continued use, development and expansion of solar power, specifically President Clinton's Million Solar Roofs Initiative (MSRI) for reducing greenhouse gas emissions and minimizing other air quality impacts. (1998)
85. Air quality issues, including new federal authority to establish a Nox emissions trading program, should be dealt with in the context of the Clean Air Act and not as provisions of electricity restructuring legislation. (1998)
86. Is committed to (1) working with the Administration to develop a voluntary reduction program for the electric utility industry, (2) educating the public (including the public power membership), and (3) working with policymakers (including the Administration and Congress) with regard to the policy options and emerging carbon-saving technologies trends most important for mitigating Ghg emissions in the least cost manner for our sector. (1998)
87. APPA requests the Environmental Protection Agency to:
- Honor Governors' requests to re-propose the Regional Haze Rule;
 - Request comment on all major new provisions of the RHR;
 - Develop statutorily required cost/benefit analysis of the RHR clearly stating anticipated environmental benefits and social and economic costs;

- Conduct, as required, an unfunded mandate analysis;
- Observe the directives of the U.S. District Court of Appeals, D.C.Circuit, to link air regulations to statute, science and environmental benefits;
- Implement the non-health based RHR in conjunction with health-based PM and ozone standards as required by law; and
- Strictly adhere to the explicit and implicit limitations imposed by Congress under the Clean Air Act Amendments of 1990. (2000)

88. APPA calls for the development of energy and environmental policies that provide for achieving both environmental quality and energy goals by taking into account, among other considerations, the following factors:

- Human health
- Environmental protection
- Electric reliability
- Energy costs
- Technology-based and incentives-driven solutions

America's economic well-being depends on a diverse, balanced, cleaner, more efficient and economical energy mix that promotes energy conservation and includes coal, oil, gas, nuclear, hydropower and other renewable sources of energy.

Proper implementation of environmental goals must be based on sound science, include cost-effective approaches, and provide quantifiable benefits.

In the interest of consumers, local and state governments should be afforded maximum flexibility in devising strategies to meet environmental standards. (2001)

89. Congress and the Administration should address simultaneously environmental, energy and air quality goals by pursuing a multi-pollutant approach for regulated pollutants with maximum flexibility. For controlling health-based air emissions, air regulation should continue to move away from unit-by-unit, command and control approaches to approaches that integrate flexible programs such as emissions cap and trade programs.

APPA reaffirms its existing position that our customer-owned utilities play an important role in the nation's efforts to reduce greenhouse gas emissions. Climate change programs should include all greenhouse gases, be based on sound science and take into account that emissions that might affect climate change are distinct from emissions characterized as pollutants, which have a clearly defined and well understood effect on public health. Greenhouse gas emission reduction programs should focus on commercializing existing greenhouse gases reduction technologies, which are limited in their ability to reduce all greenhouse gases, and on developing the next generation technologies for producing electricity and reducing all greenhouse gas emissions.

Any federal climate change program designed either to address greenhouse gas concerns or to promote the development of technology or competitively neutral incentive-based solutions should be administered by the U.S. Department of Energy. (2001)

90. American Public Power Association reaffirms its support for the development of a comprehensive and integrated multi-pollutant approach to improving air quality by regulating emissions of sulfur dioxide, nitrogen oxides, and mercury from power plants;

The emission reduction levels and timeframes under such a multi-pollutant control program should be set as to ensure that the nation's health, environmental, and energy goals are achieved in a cost-effective and technically feasible manner;

That a multi-pollutant control program should provide maximum flexibility through proven approaches such as market-based cap and trade mechanisms, which entail an equitable allocation of allowances to only affected facilities. Most importantly, the distribution of allowances should not be accomplished by means of an auction system;

That it is essential that a multi-pollutant control approach not be layered on top of existing regulatory programs, but rather reforms, modernizes and, as appropriate, replaces such programs. With the imposition of significant emission reduction targets and timeframes, a number of existing and impending air quality regulatory programs, such as New Source Review (NSR), will become redundant and should be substantially reformed;

American Public Power Association will actively participate in congressional and administrative efforts to address the Clean Air Act by emphasizing the important role our customer-owned utilities play in the nation's efforts to improve air quality. (2002)

91. That APPA reaffirms its support for the passage of comprehensive and integrated multipollutant legislation based on the Clear Skies framework; and

That the revised Clear Skies Act of 2003 as released on November 10, 2003, by Senate Environment and Public Works Committee Chairman James Inhofe (R-OK) and Clean Air Subcommittee Chairman George Voinovich (R-OH) embodies and incorporates important reforms advocated by APPA and its members; and,

That APPA endorses the key principles in the revised Clear Skies legislation and will work actively with Congress and the Administration to ensure its passage. (2004)

92. That the American Public Power Association opposes Federal legislation that creates Wilderness Areas that are in the vicinity of electrical transmission lines and appurtenant facilities, unless such legislation contains provisions protecting the ability of the utility owner or operator to continue the use of aircraft over, and in the vicinity of Wilderness Areas. (2004)

93. That APPA supports improvements to the Endangered Species Act (ESA) consistent with the following recommendations:

1. Listing and Delisting

- **Prelisting Measures:** In determining whether the listing of a species is necessary, the Secretary should consider any voluntary programs and measures that have been implemented by States, political subdivisions and private landowners.
- **Peer Review:** After a species is proposed to be listed, scientific and commercial data on the species and its habitat should be compiled by a panel of qualified individuals, including federal and state agency personnel and public volunteers. APPA supports provisions, as found in legislation from the 108th Congress, which require FWS and NOAA Fisheries to consult with the National Academy of Sciences to develop a list of qualified peer reviewers. Such data should meet the requirements of the Data Quality Act and its guidelines. There should be a public comment period for the data sources to be used, collection methodology, criteria for determining data accuracy and the ultimate data compilation. If there is little or no public comment, then the peer review process should be required to ensure the sufficiency of the data that has been developed for the listing determination in order to ensure that the listing is necessary.
- **Delisting:** Measurable objective criteria for delisting should be required to be included in the recovery plan.

2. Critical Habitat

- **Designation:** Critical habitat should be designated in conjunction with or after the development of a recovery plan or recovery goals; the Secretary must measure the impacts, including the economic implications, of both designating and specifying a particular area (or areas in the case of migratory species) as critical habitat; alternatives for potential areas of exclusion must be identified and all reasonable alternative critical habitats considered by the Secretary must be described and the economic impacts of each alternative, including the one selected, must be described.
- **Economic Impact:** Prior to designating critical habitat, economic analyses should be done to consider all economic costs and benefits to local governments, the federal government, state governments and landowners as a result of such designations. In addition, costs associated with the preparation of any reports, surveys, analyses, etc. for landowners seeking to obtain approval from a governmental permitting agency should be analyzed.
- **EPA:** Critical habitat designation should be subject to compliance with the National Environmental Policy Act.
- **Duplication:** If a species is already under the protection of other conservation plans, such as a Habitat Conservation Plan (HCP), such areas should not be subject to critical habitat designation for said species.

3. Recovery Plans

- **Recovery Goals:** At the time a species is listed, every effort should be made to establish recovery goals, including a trigger for the delisting process once such goals are achieved. Such recovery goals/plans should strike a balance between minimizing adverse social and economic impacts.
- **Inventory:** Federal resource management agencies should be directed to conduct inventories of all listed and candidate species on federally managed lands, including tribal lands, and waters and identify measures for recovery of listed species that also minimize adverse impacts to candidate species.
- **Reconsideration:** The Secretary should be authorized, but not required, to revise existing recovery plans as necessary to accommodate new data and information.

- **Priority:** In addition to giving priority to species most likely to benefit from a recovery plan, as required under the Act, the Secretary should also give priority to multi-species least cost recovery plans, including resolution of conflicts among species.
- **Adaptive Management:** Where significant changes are proposed, there should be an assessment of the impacts of such changes, including economic factors.
- **Recovery Team:** The Secretary should develop and implement plans with an impartial multi-disciplinary team working in cooperation with relevant state and local agencies and other affected parties.
- **Assessments:** The Act should require the development of recovery plans that would achieve biological objectives, while minimizing the social/economic impacts of recovering the species.
- **Public Information:** With regard to public hearings and information, relevant agencies should develop a public process that includes collaboration with the states, localities, and any relevant stakeholders on recovery plans, and should hold public hearings in the areas affected by such a plan, prior to the finalization of the recovery plan.
- **The Administration's "No Surprises" policy** should be codified, and procedures should be established that ensure that other federal and state agencies do not preempt or interfere with the administration or implementation of an approved HCP. The "No Surprises" policy was implemented during the Clinton Administration, and states that once a Habitat Conservation Plan is in place, additional mitigation measures may not be ordered by the Secretary, except in extreme cases provided for in the permit.

4. Consultation

- **Responsibilities of other Agencies:** To the extent possible, the Secretary should be required to increase the efficiency of the consultation process and to streamline decision making, especially in situations where multiple agencies are acting together.
- **Consultation:** When a listing decision is made, the Secretary should establish a process by which the public is notified as to what kinds of activities constitute a taking in different instances.
- **Compliance with Approved Plan:** If a Section 7 consultation contains recovery provisions, they should be consistent with those in the relevant recovery plan. If a Section 7 consultation asks for changes outside of the current approved recovery plan/goals, the recovery plan/goals must be appropriately altered. However, APPA is not encouraging the imposition of conditions promoting species recovery as part of a Section 7 consultation.

5. Enforcement

- **Funding:** Additional adequate federal funding mechanisms should be established to fund ESA programs and activities. This funding should include establishment of a dedicated revenue stream of income from various fees, fines, or assessments that is independent of the appropriations process with such revenues dedicated to reimbursing permittee costs of implementing habitat set asides and/or identified and quantifiable landholder losses due to ESA conflicts.
- **Standing:** The Act should provide for standing and intervention by citizens or organizations suffering economic injury as a result of Critical Habitat and Recovery Plan designations taken under the Act.
- **Emergency Exemptions:** An exemption from enforcement actions should be provided in cases where there is a substantial and imminent threat to public health and safety. (2005)

94. To relieve financial pressures resulting from the current drought, the American Public Power Association urges the United States Bureau of Reclamation (USBR) and the Western Area Power Administration (Western) to implement cost-cutting measures and strategies to improve the status of the Upper Colorado River Basin Fund and stabilize the CRSP power rate, and to work in partnership with the CRSP customers to develop operational, financial, and rate-setting strategies that addresses the drought situation, create a sustainable cash flow and maintain a viable power rate.
95. That the American Public Power Association encourages the passage of federal legislation that would make available, through the duration of the drought, appropriations to the USBR and Western, to ensure ongoing funding of CRSP operations and other required annual funding obligations. (2005)
96. That APPA reaffirms its position that consumer-owned utilities will play an important role in the nation's efforts to reduce greenhouse gas intensity and will continue to participate in programs to voluntarily account for and publicly disclose greenhouse gas emissions and greenhouse gas intensity reductions; and

That APPA will encourage public power members interested in advancing their understanding of opportunities and methods to account for and reduce greenhouse gas intensity to work together and share experiences; and

That APPA supports the development of a public power greenhouse gas emissions database, and calculation on an annual basis, of the aggregated greenhouse gas intensity for public power systems relative to the broader goals in the EPIC/DOE memorandum of understanding; and

That APPA will work with its members to continue their long and important voluntary work concerning greenhouse gas emissions by supporting efforts to develop:

- a common understanding of greenhouse gas accounting rules, methods, terms, and databases as appropriate for use by public power systems.
- metrics appropriate for public knowledge and understanding of greenhouse gas emission intensity resulting from consumer use of electrical
- energy.
- consumer energy efficiency programs and public information that links the
- importance of energy efficiency with greenhouse gas emission intensity
- reduction goals.
- programs for the reporting of entity-wide and project specific greenhouse
- gas emissions with established state, regional, or nationally recognized
- greenhouse gas emission registries;
- partnerships with non-utility entities to seek efficient ways to reduce
- greenhouse gas emission intensity at least cost;
- a range of government incentives appropriate to publicly owned electrical utilities that would efficiently reduce greenhouse gas intensity. (2005)

97. That APPA supports legislation to update and reform the ESA, similar to that passed the House of Representatives in September of 2005.

That APPA urges the Senate to pass legislation to update and reform the ESA during the second session of the 109th Congress so that final passage of a bill is achieved in 2006. (2006)

98. That APPA encourages its member systems to use the updated 1605(b) program to receive credit for work they are doing to reduce GHG emissions and GHG emissions intensity; and
99. That APPA encourages members who choose not to participate in the 1605(b) program to consider participation in one of the other established state, regional, or nationally recognized GHG registries. (2006) That APPA supports legislation, such as H.R. 3824, the Threatened and Endangered Species Recovery Act of 2005, and H.R. 4857, the Endangered Species Compliance and Transparency Act of 2006, that would require the PMAs to estimate and report the direct and indirect costs of environmental compliance to each wholesale firm power customer on a monthly billing basis; and

That APPA supports gathering and reporting this information in a way that does not create additional costs for the PMAs. (2006)

100. That APPA supports the completion of the FutureGen project within the next 10 years or less; and

That APPA encourages full congressional funding of the FutureGen project, at least at the level requested by the Administration in its FY 2008 budget request, and broad industry funding of the project, including from the public power sector; and

That APPA encourages federal policy makers to consider the potential liability and environmental concerns that could arise with the widespread application of carbon capture and sequestration technologies, like those envisioned by FutureGen, and to address these concerns accordingly. (2007)

101. That the American Public Power Association urges Congress to adopt comprehensive legislation to address climate change and to incorporate the following principles in any new federal legislation designed to address emissions of greenhouse gases. Specifically, federal legislation must:
- Be economy wide, apply to all industry sectors, and consider local, state and regional initiatives while being implemented uniformly nationwide;
 - Consider the financial impact on and the ability of consumers to afford any proposed greenhouse gas emission reduction program;
 - Protect the ability of U.S. industries to compete in world markets and carefully consider the international competitive impact on U.S. jobs;
 - Allow credit for early actions taken to reduce greenhouse gas emissions;
 - Maintain reliability, protect national security and avoid over-reliance on any single fuel by recognizing the importance to the nation of preserving a diverse mix of electricity generation fuels, including coal, nuclear, natural gas, and all renewable energy sources including hydro;

- Place an enhanced and immediate economy-wide focus on energy efficiency for all energy uses;
 - Ensure that tax-based or other incentives for the development and deployment of renewable and clean energy facilities and programs are provided on a comparable basis to all electric industry sectors including public power;
 - Recognize and address regional differences that can impact the fairness and effectiveness of any program designed to address greenhouse gas emissions.
 - Include additional and expanded federal support for research, development and deployment of cost-effective technologies to reduce, capture, transform, transport or sequester greenhouse gases from emission sources throughout the national economy.
 - Ensure legislative emission reduction targets are consistent with commercially available technologies necessary to achieve them.
 - Ensure that any generation portfolio requirements allow all low emission technologies. (2007)
102. That APPA supports the creation of federal grant programs and partnerships to assist electric utilities with activities that use targeted planting of shade trees to reduce residential energy demand like those proposed in the recently-introduced Energy Conservation through Trees Act (H.R. 5867), sponsored by Representative Doris Matsui (D-CA). (2008)
103. That the American Public Power Association urges Congress to consider carefully all potential solutions for reducing greenhouse gas emissions to address global climate change and, if it chooses to enact a federal cap and trade regime, to adhere to the following principles. Specifically, any federal legislation establishing a cap and trade program to reduce greenhouse gas emissions must:
- Achieve the goals established by Congress with the least possible adverse economic impact on consumers of energy and the U.S. economy. Thus, such a program must include a safety valve (which sets a maximum allowance price) or other stringent cost control mechanisms that mitigate price volatility and protect consumers.
 - Minimize the initial auction amount to no more than five percent of total allowances to allow time for efficient markets to develop, to protect consumers and ensure continuing reliable operation of the electric system. In addition, the structure and operation of such an auction should be as transparent, simple and straightforward as possible.
 - Require the federal government to conduct regular reviews of allocations and auctioning of allowances in order to ensure they do not create windfall profits. This will be a particular problem in deregulated and RTO-run wholesale markets where market-pricing mechanisms could allow generators and other market participants to reap windfall profits.

- Provide for effective market oversight, including strong enforcement and penalties, to prevent market manipulation so that costs to consumers are minimized, market participants retain confidence in the market, and the market produces the desired environmental benefits in the most efficient and cost-effective manner.
- Allow for all net proceeds generated from auctioning of allowances by federal or state governments to be used only for targeted R&D, energy efficiency, and mitigation of cost impacts on consumers.
- Be designed from the outset to slow, stop and then reverse U.S. greenhouse emissions over a reasonable period of time. This period should be sufficient to maintain the reliability of electricity to consumers and to develop low carbon generation technologies and implement them on a commercial basis. At the outset, the program should provide for allowances sufficient to maintain reliability and to allow time to adapt. Generating units of 25 MW or less should be exempted from mandatory participation in the program.
- Create an integrated national program for carbon reporting and trading that is equitable to all states.
- Establish January 1, 1994 as the appropriate date beyond which credit for early action is allowed.
- Not unduly harm the U.S. economy. Regular reviews of any cap-and-trade program should be conducted to determine if changes to the program are warranted to prevent the transfer of wealth and jobs to other countries that have not implemented effective greenhouse gas reduction programs.
- Allow for broad availability of greenhouse gas offsets for projects that achieve emission reductions. Qualified offsets should be additional, permanent, independently verified, enforceable, and measurable. In addition, offsets should be available from an expansive set of sectors and activities without arbitrary geographic or quantity limits on the use of qualified offsets to meet cap requirements.
- Provide allowances, offsets or other accommodations to the electric utility sector to protect it from intentional or unintentional fuel switching between economic sectors. These allowances and offsets must accurately reflect the overall reduction in greenhouse gas emissions. (2008)

104. That APPA urges Congress to include language in any federal cap-and-trade climate change regime that would provide for meaningful and effective oversight and enforcement of any federally-established carbon market so that costs to consumers are minimized, market participants retain confidence in the market, and the market produces the desired environmental benefits in the most efficient and cost-effective manner. (2008)

105. That the American Public Power Association (APPA) will monitor these possible regulatory developments and ensure that any rule, if finalized:

- 8) Maintains the ability of APPA member utilities to deliver a reliable supply of electricity to residential, commercial, industrial, and government customers;
- 9) Addresses all types of stationary sources appropriately, not just those associated with electricity production and delivery;
- 10) Considers existing local, state and regional initiatives to address greenhouse gas emissions and the availability of local energy resources that have low greenhouse gas emissions;
- 11) Considers greenhouse gas emissions reductions resulting from the Energy Independence and Security Act of 2007, Public Law 110-140;
- 12) Ensure the reliability of the electricity grid by retaining a diverse mix of electric generation (including coal, oil, gas, nuclear, hydropower and other renewables);
- 13) Considers the financial impact on consumers;
- 14) Considers the availability of technological solutions; 8) Guards against widespread fuel-switching to natural gas or an increase in dependence on imported fuels such as liquefied natural gas. (2008)

106. That the American Public Power Association (APPA) urges Congress and the Administration to ensure that the pursuit of our nation's energy, transmission and environmental policy goals are considered together holistically rather than as separate and potentially conflicting policy approaches, and, thereby, support public power's mission to provide low-cost, reliable electricity and responsible environmental stewardship for our customers and communities. (2009)

107. That APPA continues its support for electric drive vehicles, the use of grid electricity as a transportation fuel, and funding the plug-in hybrid demonstration programs authorized in the EISA 2007; and

That APPA will encourage Congress and the appropriate federal agencies to develop policies that do not penalize utilities from serving electric transportation-related load, provided that such policies reduce net societal carbon emissions across the transportation and electricity sectors; and that utilities be eligible for partial or full value, including carbon credits, associated with the emission reductions associated with electricity as a low-carbon transportation fuel; and

That APPA will support greenhouse gas reduction benefit policies for other electricity transportation fuel applications such as truck stop and port electrification, truck refrigeration units and off-road class vehicles such as lift trucks, industrial burden carriers and golf carts. (2009)

108. That the American Public Power Association (APPA) urges Congress to consider carefully all solutions for addressing climate change and to incorporate the following principles for allocating emission allowances in any federal cap and trade program designed to reduce

emissions of greenhouse gases. Specifically, “The American Clean Energy Security Act of 2009” and any similar legislation must:

- Allocate allowances at no cost directly to the electricity sector in an amount commensurate with the electricity sector’s share of total emissions, generally accepted to be approximately 40%;
- Ensure that all allowances allocated to the electricity sector are further allocated at no cost directly to local electric distribution utilities (however, APPA takes no position on the methodology of distributing allowances among distribution utilities), with no allocations made directly to any unregulated merchant generators;
- Allow the free allocation of allowances to local electric distribution utilities to continue at least until such time that clean coal technology becomes commercially deployable on a wide scale in the United States;
- Provide that the allocation of allowances to local electric distribution companies is done in a manner that equitably accommodates new fossil fuel-fired generating units that come online after the legislation’s enactment date. (2009)

109. That APPA urges Congress not to use the Clean Air Act to regulate CO₂ or other greenhouse gas emissions, but to enact stand-alone legislation to address reduction of those emissions and include provisions that clearly separate the GHG emissions reduction program from the requirements of the CAA. This would include, for example, provisions that ensure there is a pollution control exclusion specifically designed for CO₂ and other GHG emissions, and a clear exemption from the CAA Title V permitting program; and

That APPA supports reform of the new source review requirements in the CAA that would allow reasonable levels of routine maintenance, repair, and replacement at existing coal-fired generating units in order to improve their efficiency and reliability without resulting in the application of NSR requirements. (2009)

110. That the American Public Power Association (APPA) supports the establishment of federal requirements for the production of electricity from renewable energy sources, as long as such requirements adhere to the following principles and criteria:

- The requirement is: 1) based on retail sales of electricity; 2) applicable only to large retail sellers of electricity; and 3) set at a level that does not exceed 15% and does not require full compliance before 2020;
- Federal support for the development of renewable energy, such as Clean Renewable Energy Bonds, the Renewable Energy Production Incentive, fully tradable tax credits, and other programs, is provided to public power utilities at a level that is comparable to the support provided to private developers of renewable energy through programs such as the production tax credit and others;

- The legislation allows as eligible for compliance the broadest range of renewable energy resources, including those allowed under state renewable energy requirements such as animal waste biomass, incremental hydropower, and new hydropower added at existing hydro and non-hydro dams;
- The legislation allows a significant portion of the requirement to be met through energy efficiency measures, both utility system efficiencies and customer-based programs, including any such measures allowed under similar state requirements;
- The legislation permits banking of excess credits to meet future year requirements;
- At a minimum, existing hydropower and municipal solid waste resources, including those owned by the federal government are excluded from the calculation of the baseline against which the renewable energy requirement is applied;
- The legislation ensures that any credits that accrue to federally-owned generation marketed by the power marketing administrations (PMAs), including both existing generation and additions, either are provided directly to the PMA customers affected by federal or state RES standards commensurate with their allocations of federally-generated power or sold with proceeds going to repayment of affected projects as determined by federal power customers in such marketing areas;
- Provisions are included allowing for alternative compliance in the form of reasonable cash payments on a per-kilowatt hour basis that corresponds to the value of the renewable energy production tax credit, and requiring such funds to be returned to the retail electricity suppliers subject to the federal standard ;
- Existing state programs are integrated with the federal RES to the fullest extent possible so that affected utilities have only one standard to meet -- the federal compliance obligation should not be additive. States, however, would be allowed to establish additional requirements beyond the federal requirements if they chose to do so;
- The legislation allows all existing qualifying renewable energy facilities and energy efficiency programs to be used to meet a utility's compliance obligation;
- The Secretary of Energy is authorized to provide waivers of compliance or penalties on a case-by-case basis based on criteria to be established, including, but not limited to, the effects of natural disasters, the recognition of utilities in "negative load growth" circumstances and other economic, operational and contractual impacts, and delays in relevant federal permitting approvals, among others;
- Existing contracts for renewable energy certificates are fully protected and not abrogated, diminished, or impaired;
- Provisions are included that make clear the oversight and regulation of any related renewable energy credit market;
- The legislation must require periodic, multi-agency reports to Congress -- with the first one due no later than three years after enactment -- on the implementation of the RES with respect to various factors such as the impact on the reliable operation of the electric grid, the ability of the grid to accommodate such an increase in intermittent resources, and the costs to consumers; and
- The legislation must acknowledge the link between a federal electricity standard and any subsequent adoption of federal legislation to address climate change through reduction of greenhouse gas (GHG) emissions by requiring Congress to re-examine the renewable electricity requirement's continuing necessity in light of the new GHG emission reduction scheme. (2009)

111. That APPA urges Congress not to use the Clean Air Act to regulate CO₂ or other greenhouse gas emissions, but to enact stand-alone legislation to address reduction of those emissions and include provisions that clearly separate the GHG emissions reduction program from the requirements of the CAA. This would include, for example, provisions that ensure there is a pollution control exclusion specifically designed for CO₂ and other GHG emissions, and a clear exemption from the CAA Title V permitting program; and

that APPA supports reform of the new source review requirements in the CAA that would allow reasonable levels of routine maintenance, repair, and replacement at existing coal-fired generating units in order to improve their efficiency and reliability without resulting in the application of NSR requirements. (2009)

112. That the American Public Power Association (APPA) supports the establishment of federal requirements for the production of electricity from renewable energy sources, as long as such requirements adhere to the following principles and criteria:

- The requirement is: 1) based on retail sales of electricity; 2) applicable only to large retail sellers of electricity; and 3) set at a level that does not exceed 15% and does not require full compliance before 2020;
- Federal support for the development of renewable energy, such as Clean Renewable Energy Bonds, the Renewable Energy Production Incentive, fully tradable tax credits, and other programs, is provided to public power utilities at a level that is comparable to the support provided to private developers of renewable energy through programs such as the production tax credit and others;
- The legislation allows as eligible for compliance the broadest range of renewable energy resources, including those allowed under state renewable energy requirements such as animal waste biomass, incremental hydropower, and new hydropower added at existing hydro and non-hydro dams;
- The legislation allows a significant portion of the requirement to be met through energy efficiency measures, both utility system efficiencies and customer-based programs, including any such measures allowed under similar state requirements;
- The legislation permits banking of excess credits to meet future year requirements;
- At a minimum, existing hydropower and municipal solid waste resources, including those owned by the federal government are excluded from the calculation of the baseline against which the renewable energy requirement is applied;
- The legislation ensures that any credits that accrue to federally-owned generation marketed by the power marketing administrations (PMAs), including both existing generation and additions, either are provided directly to the PMA customers affected by federal or state RES standards commensurate with their allocations of federally-generated power or sold with proceeds going to repayment of affected projects as determined by federal power customers in such marketing areas;
- Provisions are included allowing for alternative compliance in the form of reasonable cash payments on a per-kilowatt hour basis that corresponds to the value of the renewable energy production tax credit, and requiring such funds to be returned to the retail electricity suppliers subject to the federal standard ;
- Existing state programs are integrated with the federal RES to the fullest extent possible so that affected utilities have only one standard to meet -- the federal

compliance obligation should not be additive. States, however, would be allowed to establish additional requirements beyond the federal requirements if they chose to do so;

- The legislation allows all existing qualifying renewable energy facilities and energy efficiency programs to be used to meet a utility's compliance obligation;
- The Secretary of Energy is authorized to provide waivers of compliance or penalties on a case-by-case basis based on criteria to be established, including, but not limited to, the effects of natural disasters, the recognition of utilities in "negative load growth" circumstances and other economic, operational and contractual impacts, and delays in relevant federal permitting approvals, among others;
- Existing contracts for renewable energy certificates are fully protected and not abrogated, diminished, or impaired;
- Provisions are included that make clear the oversight and regulation of any related renewable energy credit market;
- The legislation must require periodic, multi-agency reports to Congress -- with the first one due no later than three years after enactment -- on the implementation of the RES with respect to various factors such as the impact on the reliable operation of the electric grid, the ability of the grid to accommodate such an increase in intermittent resources, and the costs to consumers; and
- The legislation must acknowledge the link between a federal electricity standard and any subsequent adoption of federal legislation to address climate change through reduction of greenhouse gas (GHG) emissions by requiring Congress to re-examine the renewable electricity requirement's continuing necessity in light of the new GHG emission reduction scheme. (2009)

113. That APPA urges Congress to pass legislation that would accelerate the RD&D for the capture and sequestration of CO₂ emissions from electricity generation; and

That Congress must allow for the testing and verification of the viability of geologic storage in different regions of the country, and in multiple types of geologic formations, before requiring actions that assume the widespread practicality of geologic storage, and that Congress also must address the legal liability of the potential risks associated with CO₂ sequestration; and

That APPA supports the fair and reasonable imposition of a small fee on electricity produced from fossil fuels to fund accelerated RD&D for CCS, provided that these funds can legally be used solely for this purpose. (2009)

114. That the APPA supports the production of electricity from renewable resources; that the alternative compliance payment under the federal RES may be necessary to meet the new standard; and that local utilities are best equipped to support community renewable energy projects; and

That APPA supports local utilities choosing the alternative compliance payment method to meet the federal RES be allowed to use those funds directly to support local renewable energy projects and investments in qualified renewable projects in lieu of payments to the state treasury. (2009)

115. That the American Public Power Association (APPA) urges Congress, if it addresses the issue of climate change through adoption of a cap and trade program, to adhere to

the following principles in connection with allocation of emissions allowances to the electric utility sector:

- 1) Allowances should be allocated to the utility sector that track the sector's share of GHG emissions, currently estimated at 40%;
- 2) Allocations should be made to local distribution companies for the benefit of their consumers, with discretion provided to public power systems to determine how to use the value of such allowances for the benefit of their consumers;
- 3) Allowances should be allocated to the utility sector at no cost for at least the first 24 years of any cap and trade program;
- 4) During the initial years of the program when compliance options are limited, all, or substantially all, of the emissions allowances going to local distribution companies should be allocated based upon the GHG emissions of such companies' supply. Thereafter, a portion of the allowances allocated to local distribution companies should be shifted through a glide path to allow for an amount of allowances to be allocated based upon load, consistent with the objective of mitigating the cost of the program on consumers. Under this allocation system, allowances allocated to individual LDCs based on load pursuant to the glide path should not be limited by the LDC's need for allowances based on its emissions.

That the objective to mitigate costs for consumers through LDCs embodied in the emissions allocation principles set forth above should apply to any GHG regulation legislation adopted by Congress, whether in the form of a cap and trade program, a carbon tax, a cap and dividend program, or other variation of proposed regulation. (2009)

116. That the American Public Power Association (APPA) supports appropriate legislative language to increase access to available transmission capacity by eliminating the "private-use" restrictions on public power systems. By eliminating these restrictions, public power entities will be able to release much-needed transmission capacity to the grid, which will increase reliability, relieve congestion, and help utilities meet future load growth. Moreover, this will provide better operational flexibility, improved asset optimization, and greater progress toward reducing greenhouse gas emissions; and

That APPA supports legislative language that allows a public power utility to grant long-term transmission rights to an investor-owned utility, in excess of three years, while retaining the ability to acquire tax-exempt refinancing bonds for the outstanding transmission bonds. (2009)

117. That the American Public Power Association (APPA) urges Congress to pass legislation that would ensure that the Environmental Protection Agency (EPA) does not use the Clean Air Act (CAA) to regulate greenhouse gas (GHG) emissions from stationary sources while workable legislation is being developed in Congress; and

That APPA urges Congress to enact stand-alone legislation to address reduction of those emissions consistent with APPA's positions on program structure and essential cost mitigation measures for consumers and also include provisions that clearly separate the GHG emissions reduction program from the requirements of the CAA. (2010)

118. That the American Public Power Association (APPA) urges Congress to pass legislation that would ensure that the Environmental Protection Agency (EPA) does not use the Clean Air Act (CAA) to regulate greenhouse gas (GHG) emissions from stationary sources while workable legislation is being developed in Congress; and

That APPA urges Congress to enact stand-alone legislation to address reduction of those emissions consistent with APPA's positions on program structure and essential cost mitigation measures for consumers and also include provisions that clearly separate the GHG emissions reduction program from the requirements of the CAA. (2010)

119. That APPA supports increasing the minimum energy efficiency standards within the existing model national building code standards. (2011)

120. That the American Public Power Association (APPA) supports the intent of legislation such as H.R. 5766 (from the 111th Congress) to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of Property Assessed Clean Energy (PACE) programs to finance the installation of renewable energy, energy efficiency and water efficiency improvements in properties; and

That APPA supports equitable lending practices to communities implementing PACE programs. (2011)

121. That the American Public Power Association (APPA) opposes any blanket mandate to install closed cycle cooling as the best available technology for minimizing adverse impacts from once-through cooling systems at existing facilities; and

That APPA supports regulatory language that considers site-specific conditions when choosing the best technology for minimizing cooling water intake structures impacts at each existing facility; and

That APPA supports regulatory language that fully considers the total "environmental impacts" in comparison to the total economic costs and retains the cost-benefit provisions as allowed by the April 1, 2009, U.S. Supreme Court decision. (2011)

122. The American Public Power Association (APPA) urges the U.S. Environmental Protection Agency (EPA), Congress, and the White House to evaluate the public health protection, environmental benefits, economic consequences, and the timing of the imposition of these regulations on the electric utility sector and the overall economy; and

That APPA urges these policy makers to seek innovative ways to mitigate the costs and reliability concerns resulting from these regulations while protecting public health. (2011)

123. That APPA supports reasonable regulations, consistent with EPA's legal authority and sound engineering practice, to protect public health while not causing economic disruptions to industry or the sale of energy; and

That APPA supports the use of alternative, health based limits under § 112(d)(4) of the Clean Air Act to both protect public health and to maintain the stability of the electric utility system and to avoid premature closures of power plants; and

That APPA strongly supports the use of statutorily allowed Generally Available Control Technology for area sources to reduce regulatory impacts to public power utilities, the cities that own and operate them, and the customers paying for these capital intensive control technologies.

That APPA strongly encourages EPA to re-propose the EGU Mercury MACT rule including both more realistic compliance deadlines and standards for new coal-fired power plants. This re-proposal would also allow EPA to correct the error made in the conversion factor for the MACT floor analysis. (2011)

124. That the American Public Power Association (APPA) calls on the EPA to recognize the vital nature of the units operated by municipal systems and modify the NESHAP regulations to:
- Allow for the use of these units during planned maintenance outages under the emergency designation with appropriate record keeping of the cause and duration of the event.
 - Allow for the use of these units for voltage support under the emergency designation with appropriate record keeping of the cause and duration of the event.
 - Allow for the use of these units for system support in cases of inadequate transmission capacity under the emergency designation with appropriate record keeping of the cause and duration of the event.
 - Increase the number of hours of non-emergency operation allowed for units taking the emergency designation to 100 hours for participation in emergency demand response programs.
 - Eliminate the prohibition for electric utilities to receive financial compensation for the presence or operation of these emergency engines and allow for compensation consistent with RTO/ISO demand response programs. (2011)
125. That APPA supports a diversified resource portfolio for electric generation, including wind and solar power; and

That APPA believes that the costs of integrating VERs should be clearly identified and assigned to the entities buying and selling those resources; and

That APPA urges policymakers to address integration of VERs in a holistic manner, recognizing and accounting for the increased reliability challenges and increased costs incurred by electricity customers, including costs to develop transmission. (2011)

126. That the American Public Power Association (APPA) opposes any regulation of CCRs under subtitle C of RCRA and supports legislation to that effect; and

That APPA continues to support the safe and beneficial reuse of CCRs. (2011)

127. That APPA strongly encourages EPA to work quickly with state permitting authorities to develop a procedure that will enable utilities to obtain one year extensions in a timely and efficient manner; and

That APPA strongly encourages EPA to ensure that NERC and its regional reliability councils have a greater role in determining the impact of specific EGUs on reliability; and

That APPA strongly encourages EPA to revise its policy to make the second one-year compliance extension more widely available to give public power utilities sufficient time to comply with the rule; and

That APPA supports efforts in Congress to give utilities more time to comply with MATS. (2012)

128. That the American Public Power Association (APPA) strongly urges EPA to re-propose NSPS for GHG emissions in a manner that ensures that any fuel type can be used for electric generation; and

That APPA strongly urges EPA to propose individual NSPS based on fuel types that are reasonable, cost effective, and most importantly achievable; and

That APPA strongly urges EPA to propose NSPS for GHG emissions from coal-fired power plants that are efficiency-based standards as there is no technology commercially available and deployed to reduce CO₂ emissions. (2012)

129. That APPA strongly supports efforts to maintain and improve the reliability of the nation's electric grid; and

That APPA urges FERC, in conjunction with NERC, to undertake a comprehensive, region-by-region review of the potential adverse impacts of impending EPA regulations on the reliable operation of the bulk electric system, and work cooperatively with the EPA to provide the industry with realistic and comprehensive procedures that will permit affected public power utilities to obtain sufficient time to comply with such regulations without adversely impacting regional or local electric system reliability; and

That APPA will work with Congress on legislation to provide the needed flexibility in the Federal Power Act to ensure that federal regulations do not threaten electric reliability, and that all electric generation providers that either are ordered, or that voluntarily agree to comply with an order, to operate their generation units to protect local and regional electric system reliability are not subject to penalties or other legal liability under federal, state, or local environmental laws for their compliance with the order to operate. (2012)

130. That the American Public Power Association (APPA) strongly urges the EPA when establishing new effluent guidelines under the Clean Water Act for electric generation facilities to appropriately consider all relevant factors including costs, feasibility, non-water, and energy implications; and

That APPA urges EPA to establish, in the guidelines, subcategories or other methods to consider the variations in size, type, and physical limitations of specific facilities in order to lower the costs and/or increase the feasibility of the available pollution control options to meet the revised standards while also meeting all the essential requirements of the Clean Water Act. (2012)

131. That APPA supports energy efficiency legislation, standards, and initiatives that

are fuel neutral, are technologically feasible, and are economically justified. (2013)

132. That the APPA encourages the EPA and the Army Corps of Engineers to suspend consideration of the proposed waters of the US rule until the SAB finalizes its views on the draft connectivity report and public power utilities and other political subdivisions impacted by the proposed rule have an opportunity to review and comment further on that report and participate in redrafting the proposed rule to ensure that it addresses the full economic impact for all sections of the Clean Water Act beyond Section 404 (e.g. Sections 311, 401, 401); and

That APPA is prepared to work with the federal agencies and Congress in the crafting of a rule that adds clarity and certainty to the CWA and its implementing regulations, yet respects local needs, acknowledges the efficacy of local solutions, and achieves an appropriate cost/benefit balance (2014)

133. That the American Public Power Association (APPA) urges the Department of Energy (DOE) to reassess the accuracy of the Source Energy Metric (Metric); and

That APPA urges DOE and the Environment Protection Agency to revisit and reopen for public comment the past uses of the Metric in policies and regulations to ensure the accuracy of such impactful regulations; and

That APPA believes the Metric fails to address the changing electric grid and needs to be adjusted to reflect the current generation portfolio; and

That APPA supports efforts to make known the far-reaching impacts of this methodology on local governments and other organizations that may have used this tool in their local policy objectives; and

If DOE is unwilling to revisit and correct this error, APPA supports congressional oversight to examine the problems arising from an inaccurate Metric and its policy implications, as well as legislation to direct DOE to correct the error. (2016)

134. That the American Public Power Association (APPA) believes it is important to identify and enact improvements that support the recovery of threatened and endangered fish, plant, and wildlife populations while ensuring responsible land, resource, and water management through actions such as voluntarily creating and supporting healthy habitats and working cooperatively with public and private partners at the local, state, and federal levels; and

That APPA supports efforts in Congress to update and improve the Endangered Species Act (ESA) to make it more workable for all stakeholders while continuing to support the recovery of threatened and endangered species; and

That APPA will continue to actively engage with federal agencies through the public rulemaking process on any proposed ESA regulations and policies that impact public power utilities. (2017)

135. That the American Public Power Association (APPA) believes any federal legislation and associated regulations to reduce greenhouse gas (GHG) emissions must do so in a way that maintains a reliable electric grid and affordable electric rates for retail customers. To that end, climate legislation should:

- Protect electric customers and the ability of U.S. industries to remain globally competitive by preventing or mitigating substantial rate impacts;
- Recognize regional differences in resources, power supply mix, and electricity consumption;
- Make clear that other sectors of the U.S. economy and other nations also need to take meaningful action to reduce their emissions;
- Ensure the continued use of all sources of non-emitting energy, including hydropower, wind, solar, geothermal and nuclear power, as well as fossil-fuel based and dispatchable resources, which will be needed to ensure generation diversity, system reliability, and resilience;
- Avoid mandates that rely on technologies that are not commercially demonstrated or economically feasible;
- Seek the most economically efficient means for reducing GHG emissions from an economy-wide perspective while protecting system reliability, rather than requiring the use of any particular kind of generation;
- Recognize early action taken by electric utilities to reduce their GHG emissions, including investments in renewable and other non-emitting generation, transportation electrification, energy efficiency measures and other GHG mitigation efforts;
- Provide an appropriate glidepath, flexibility, and technical and financial assistance to communities and workers that depend economically on fossil-fuel fired power plants, and utilities that own or purchase power from such plants, including ensuring not-for-profit utilities with existing debt on fossil-fuel fired power plants are not economically harmed if those plants are required to scale back production or retire before their bonds are paid off;
- Support demand-side measures to reduce GHG emissions, including increased energy efficiency and demand response measures and the beneficial electrification of new loads that reduce overall energy intensity;
- Ensure any federal incentives provided for non-emitting sources of electricity, energy storage, energy efficiency, and carbon capture, utilization, and storage are technology-neutral and provided on a comparable basis to all sectors of the electric utility industry, including public power;
- Provide robust federal funding and support for research, development, and deployment of new and advanced technologies to reduce, capture, transform,

transport, or sequester GHG emissions by all segments of the electric utility industry;

- Recognize local, state, and regional efforts to reduce GHG emissions and work in a complementary fashion with those efforts; and
- Provide federal funding for technologies and actions to adapt to the effects of climate change, including building more resilient electric infrastructure. (2020)

FEDERAL TAX POLICY

4. Opposes the imposition by the federal government of taxes upon the borrowing, the revenues, or the operation of the state governments and their political subdivisions. (1952, 1953)
5. Opposes legislation to apply local and state taxes and federal income taxes to revenues derived from the sale of electric power from federal projects on the false assumption that publicly constructed multiple purpose facilities, built for public purposes, should be governed by the same principles which apply to privately owned facilities, built for profit. (1952, 1953, 1959)
6. Urges that the Federal Power Commission adopt such rules and regulations in Docket No. 126 as will assure that the savings resulting from acceleration amortization of electric utility facilities will accrue to the benefit of the consumers of electrical energy in the form of lower rates. (1953)
7. Urges the U.S. Senate to approve legislation providing self-financing by bonds for TVA revenue bond financing at the earliest possible moment in order that the TVA may proceed in an orderly fashion to further develop its power system and thus carry out responsibilities and obligations given to it by the Congress. (1955, 1956, 1957, 1959)
8. Urges Congress to amend Section 167 of the Internal Revenue Code of 1954 to prevent private power companies from obtaining the tax benefits available thereunder, or, at a minimum, to require that such benefits, if available, be passed on to power company customers. (1956, 1957, 1958, 1959, 1960)
9. Urges adoption by the federal government of a capital budget, which will reflect in a businesslike manner federal investment in wealth-creating, self-liquidating projects for development of natural resources and construction of power marketing facilities. (1958, 1959, 1960, 1962, 1963, 1964)
10. Opposes any legislation which would impose a federal tax on the income from state, municipal and other public agency bonds, and which would repeal the long-standing existing exemption now incorporated in Section 103 of the Internal Revenue Code of 1954. (1960, 1961, 1962, 1963, 1964)
11. Commends the Federal Power Commission for its ruling that certain deferred tax benefits be "flowed through" to income for the benefit of consumers; and calls upon the Congress to investigate the extent to which these tax incentives to regulated utilities are serving their ostensible purpose - to encourage investment in new and larger facilities - and the extent to which the subsidies are merely providing a windfall for private utility stockholders. (1963, 1964)
12. Asks Congress to insure an effective generation and transmission loan program by appropriating adequate Rural Electrification Administration loan funds, without crippling restrictions, to meet the needs of rural America for electricity. (1964)

13. Opposes legislation which would prohibit the Federal Power Commission from requiring private power companies to pass on to consumers the tax savings resulting from use of liberalized depreciation. (1967)
14. Commends efforts to ease "tight money" policies based upon high interest rates which affect publicly owned electric utility financing. (1967)
15. Supports legislation which would prohibit the Federal Power Commission from requiring private power companies to pass down to consumers the tax savings resulting from use of liberalized depreciation. (1968)
16. Believes that the regulation of securities issuance should be vested in the Federal Power Commission so as to curb stock opinion abuses which occur as a result of Section 204(f) of the Federal Power Act, which leaves such regulation to the states. (1968)
17. Favors the adoption of an amendment to the United States Constitution expressly protecting and preserving the immunity of the income of the United States, the states, political subdivisions, agencies and instrumentalities thereof, and of income derived from interest paid on evidence of indebtedness of any one of such governments or subdivisions from taxation by the other, and urges that other groups representing state and local governments join with APPA in seeking adoption of such a Constitutional amendment. (1970)
18. Endorses the concept of the established hydro-thermal accord and the net billing arrangement between the federal power system and the publicly and consumer-owned utilities in the Pacific Northwest in order to integrate power produced by non-federal publicly financed generating plants with the hydroelectric power produced by the federal power plants and with the sale of such power under the established rates, contracts and preference clause of the Bonneville Power Administration. (1970)
19. Opposes extension to private power companies of liberalized depreciation allowances as proposed by the Treasury Department. (1971)
20. Stands opposed to the further extension of special tax incentives and the use of public funding for the construction of any investor owned utility generating plants including the financing of equipment which cannot be properly defined as pollution control equipment. (1974)
21. Endorses federal legislation to provide self-financing for the Bonneville Power Administration through the right of (1) issuing federal revenue bonds, (2) directly using revenues for operation and maintenance costs, and (3) retaining conditions, contracts, concepts and preference rights previously established under the still existing Bonneville Project Act, and which are essential to allow continued full participation and cooperation by the federal transmission agency with the utilities and the direct industrial customers of the federal government to secure jointly an adequate power supply for the Pacific Northwest region. (1974)

22. Recognizes the deleterious effect and burden that unreasonable and unjustifiable state taxes on energy resources have on interstate commerce and the inflationary impact of these taxes; recognizes that the production and use of energy resources may impose financial and environmental impacts upon the state and local jurisdiction where energy resources are produced; and, in order to alleviate both problems, supports appropriate federal legislation to prevent unreasonable and unjustifiable state taxation on energy resources; provided that, the Congress, at the same time, enact legislation to provide financial assistance for areas experiencing alterations and dislocations to the economic, social and environmental systems resulting from increased energy resource production. (1975)
23. Urges that :
1. The federal government provide transitional financial assistance to those publicly-owned electric utilities whose unamortized electric generating plant investments are compromised by the implementation of government fuel policies.
 2. Governmental financing programs to aid in the planning of public works facilities, including electric utility facilities, be reestablished.
 3. Congress prohibit private power companies from using municipal bonds to finance pollution control facilities, and, to the extent that utility financing assistance for pollution control is deemed in the public interest, provide a federal program of direct grants available equally to all segments of the electric industry, this substituting a straight-forward nondiscriminatory payment of the present inequitable subsidy to private power companies. (1975)
24. Opposes proposals to grant new tax advantages to private power companies and believes that if Congress determines that new federal programs of financial support for some utilities are desirable, they should be based on the following principles: (a) use of direct, open funding or backup help through a designated federal agency as opposed to hidden subsidies such as tax breaks; and (b) availability of assistance to all segments of the electric utility industry -- both public and private -- which demonstrate need. (1976)
25. Objects to enactment of the proposed Energy Independence Authority in a form which excludes local public power systems and believes that such an entity includes an unwarranted financial subsidy to private utilities under the guise of energy independence and therefore does not represent sound national energy policy. (1976)
26. Questions the appropriateness of an oil tax as the most effective means of limiting the use of oil where coal effectively and economically can replace such uses, it does support the objective of increased coal use and judicious uses of oil available to the national energy store, believing that if an oil tax is imposed by law as proposed, there should be clearly defined exemptions for small steam electric, small diesel electric, combustion turbines and combined cycle units used for peaking and intermediate electric power generation, to the extent that such generation units designed specifically for burning oil or gas are operated up to 4600 hours per year; and urges Congress, as part of the national energy program effort to reduce dependence upon foreign oil and domestically refined petroleum products, and to make funds from the program available to public systems for the purpose of making studies and developing the

utilization of ERDA-researched alternative fuels for use in combustion turbine generating equipment and other generating units which cannot use coal as ordinarily mined and processed for electric power generation. (1977)

27. Reiterates its opposition to the extension of any tax credits to investor owned utilities absent the extension of comparable benefits or incentives to publicly owned utilities; opposes the provision in the National Energy Act which would grant investor-owned electric utilities dual tax benefits -- a tax credit and a tax rebate, which would be applicable with respect to the purchase of coal conversion property -- since such dual benefits unfairly discriminate against publicly owned utilities not eligible for tax credits; proposes that financial incentives be limited to rebates, available equally to all utilities. (1977)
28. Opposes federal legislation which would mandate compulsory federal guidelines and supervision by the Securities and Exchange Commission for offerings of securities of state and local governments. (1977)
29. Supports Congressional action designed to reform the income tax laws as they apply to profit-making electric utilities, but opposes the imposition of a regressive excise tax on retail sales of all electric utilities. (1978)
30. Supports legislation authorizing the Western Area, Southeastern, Southwestern, and Alaska Power Administrations to operate on a revolving fund basis comparable to the authority provided by Congress to the Bonneville Power Administration. (1979)
31. Opposes the state cost sharing provisions of the Federal Water Projects Financing Act of 1979. (1979)
32. Reaffirms its position in opposition to extreme state severance taxes. (1980)
33. Opposes inclusions in wholesale electric rates of costs not being actually and currently incurred by utility companies in providing service to their customers and opposes the rules as proposed in FERC Docket No. RM80-42, which would permit normalization of taxes relating to a number of items. (1980)
34. Strongly opposes the administration's plan to prohibit TVA and REA access to the federal financing bank (FFB) and urges Congress, if necessary, to specifically provide these federal agencies with access to the FFB. (1981)
35. Supports amendments to the Internal Revenue Code which would provide to Indian tribal governments federal taxation treatment comparable to that accorded states, municipalities and local governments. (1981)
36. Condemns the current tight money/high interest rate policy and urges the Administration and the Congress to find and utilize means other than high interest rates to control inflation, and will work to form a coalition of individuals and associations devoted to finding alternatives to the current tight money/high interest rate policy. (1981)
37. Opposes the use of energy taxes as a means to increase federal revenues in the absence of any overriding national security objective. (1982)

38. Urges enactment of a capital budget for the federal government, including one that recognizes the long-term, beneficial investments made in energy facilities. (1983)
39. Urges Congress to enact legislation which would permit the treatment of monies received as co-owner or ratepayer contributions to nuclear power plant decommissioning funds authorized by regulatory commissions as current deductible expenses, and treat interest earned on such funds as tax exempt, and that such legislation should provide publicly owned utilities who share ownership of nuclear power plants with the opportunity to establish their own decommissioning funds. (1984)
40. Reaffirms opposition to federal tax subsidies to investor-owned utilities and urges the Congress to enact legislation prohibiting the Federal Energy Regulatory Commission (FERC) from using tax normalization as a means for preserving such utilities' tax savings for their shareholders; and urges the Congress to enact legislation preventing investor owned-utilities from including the value of their investment tax credits in wholesale rate base. (1984)
41. Urges the Conference Committee to endorse the Senate provision of the "Deficit Reduction Act of 1984", (H.R. 4170), to exclude tax-exempt interest from being taken into account in determining the amount of social security benefits to be taxed. (1984)
42. Opposes any changes in the federal tax code which would increase the tax to employees for any or all of the value of employer-provided fringe benefits. (1985)
43. Urges the Congress to enact legislation, or the Treasury Department to adopt regulations to exempt employees who take employer-provided vehicles home to perform essential public services from having to include the value of such vehicles in calculating their federal income tax obligations. (1985)
44. Urges the Department of the Interior to establish a more equitable method of determining true "value" of federal coal for the purpose of setting royalties for the mining of such coal, and urges the Department to terminate the policy of adding federal and state taxes and fees to the cost of coal before royalty costs are determined. (1986)
45. Strongly supports the passage of legislation by Congress to amend the Internal Revenue Code to direct the FERC, in setting wholesale electric rates, to require utilities to flow-back immediately to ratepayers all excess deferred tax reserves on such utilities' ratemaking books of account, using an amortization period of not more than three years, and opposes legislation that would create disparity between state and federal regulatory treatment of excess deferred taxes in a manner that may result in price squeeze to wholesale customers. (1987)
46. Supports passage of legislation in the Congress to grant federal and state regulatory commissions discretion to require rapid: flow-back to ratepayers of excess deferred taxes; the remaining \$28 billion in deferred tax obligations be paid to the U.S. Treasury, or returned to ratepayers; and, the subsidy accruing to investor-owned

utilities through the continued use of accelerated depreciation and taxation of contributions-in-aid be eliminated. (1988)

47. Supports swift enactment of legislation to clarify that Section 457 does not apply to basic state and local government and tax-exempt organization employee benefits. (1988)
48. Urges the United States Congress to enact legislation such as H.R. 3845/S. 1863, which would amend the federal bankruptcy code and remove uncertainties regarding municipal bankruptcies and maintain the integrity of municipal financing. (1988)
49. Urges the Congress to remove the unnecessary restrictions of WPPS financing which were imposed by the Tax Reform Act of 1986, and which were not completely removed in the technical corrections approved by the Congress in 1988. (1989)
50. Supports the enactment of legislation, including H.R. 4249 introduced by Representative Kennelly and S. 2321 introduced by Senator Symms, to modify and permanently extend Section 8217(i) of the National Energy Conservation Policy Act to exclude payments made by utilities to residential, commercial and industrial customers for the purchase and installation of energy conservation measures from the gross income of such customers. (1990)
51. Opposes the levying of a national energy tax for the purpose of deficit reduction because of its regressivity and potential adverse effects on the national economy and calls on Congress to oppose any legislative proposal that would levy such a tax on the American consumer. (1991)
52. Urges the House and Senate conferees on the comprehensive national energy policy act to resolve their differences on tax issues and support a modified House energy conservation rebate provision that covers all electric utilities; provide incentives for not-for-profit utility development of renewable energy comparable to the tax incentives provided to for-profit developers; and accept the bank deductibility provisions of the House bill. (1992)
53. Urges Congress to enact legislation, such as H.R. 1938, eliminating the \$15 million private use restriction placed solely on public power bonds, thus providing for equal and nondiscriminatory treatment of all governmentally financed and operated facilities. (1993)
54. Supports the goals of increased investment in conservation, efficiency and renewable resources, but strongly opposes provisions of H.R. 2026 to eliminate the use of tax exempt financing for coal, oil, and nuclear power generation facilities and provisions unfairly benefiting the investor-owned utility sector and skewing the competitive balance between public and private power. (1993)
55. That, pursuant to the recommendations of the APPA task force on the Clinton Economic Proposal, APPA will continue to judge deficit reducing energy tax proposals and modifications based on whether they are: (1) fair to different fuels and resources, regions, customer classes, and electric industry sections; (2) easy to administer; (3)

- earmark receipts for deficit reduction; (4) mitigate the regressive effects; and (5) include a sunset provision. (1993)
56. Will pursue the non-tax related initiatives recommended by the task force, by supporting the renewable incentive payment program, easing of restrictions on public power tax-exempt bonds, and opposing artificial increases in the cost of federal power. (1993)
57. Opposes the levying of a national energy tax based on the Btu content of fuels because of its regressivity and potential adverse effects on the national economy and calls on Congress to oppose any legislative proposal that would levy such a tax on the American consumer. (1993)
58. Continues to support the simplification of tax code provisions dealing with tax-exempt financing to eliminate unnecessary burdens on issuers of bonds. These changes, identified by the Anthony Commission and contained in H.R. 3630 include, among other things, the creation of a more workable safe-harbor provision from the arbitrage rebate requirements, the increase of the small-issuer arbitrage rebate exemption from \$5 million to \$10 million, the repeal of the discriminatory private-use restriction that applies to public power output facilities, an increase in the bank deductibility provision from \$10 million to \$25 million, and the indexing of the annual state volume cap allocation. (1994)
59. Expresses its appreciation to Representative Coyne for his leadership in proposing legislation to simplify the tax-exempt financing provisions of the tax code, and will work with Representative Coyne and others to eliminate unnecessary burdens on issuers of tax-exempt bonds. (1994)
60. Supports the preservation of the Tower Amendments prohibition against Securities and Exchange Commission (SEC) and Municipal Securities Rulemaking Board (MSRB) requirements that would require private corporate-style registration and disclosure rules on issuers of municipal bonds. (1995)
61. Supports initiatives to assist state and local governments in financing federally directed infrastructure mandates, including initiatives such as the creation of Mandated Infrastructure Facility bonds that would not be subject to many of the recent tax code changes that have made the issuance and management of tax-exempt bonds more complex and costly, so long as the right to issue such bonds is restricted to states and units of local government and the facilities financed are owned and controlled by governmental issuers. (1995)
62. That the APPA urges the IRS and Treasury to issue private use regulations that go as far as legally possible to mitigate the adverse consequences of the application of the private use rules in a competitive electric utility environment. (1997)
63. Strongly supports legislation that provides tax credits for electric vehicle acquisitions, lifts the government use restriction on those tax credits and supports the Collins/Lewis legislation and any similar legislative proposals that encourage electric vehicle acquisitions. (1998)

64. Opposes H.R. 3927 and similar measures that impose federal taxation of state and local government revenues. (1998)
65. APPA supports the Administration's new tax credits for purchasers of rooftop photovoltaic systems and solar water heating systems. (1998)
66. APPA supports the Administration's fiscal year 1999 budget for Million Solar Roof Initiative. (1998)
67. APPA endorses the legislation introduced by Senators Slade Gorton and Robert Kerrey and Representatives J.D. Hayworth and Robert Matsui to protect outstanding bonds and eliminate current tax barriers to retail electricity competition, and commends them for their leadership on this issue. The Gorton/Kerry/Hayworth/Matsui bills are a fair and reasonable compromise that resolves this issue without imposing federal taxation on public power revenues. (1999)
68. Will intensify its efforts to secure enactment of this legislation during the 106th Congress. (1999)
69. APPA urges Congress to recognize that certain provisions of the U.S. Tax Code affecting all electric utilities, including in particular private use restrictions and contributions to nuclear decommissioning funds, conflict with changes in the electric utility industry brought about by state restructuring initiatives, and requests the Congress to adopt fair and reasonable solutions to all of these problems as quickly as possible. (1999)
70. Will vigorously oppose any changes in the Tax Code that propose to reconcile conflicts between the Code and state restructuring legislation unless such changes simultaneously address the private use issue. (1999)
71. Calls on the Department of the Treasury and the Internal Revenue Service to make clear through regulation and revenue rulings that deferred tax windfalls are not consistent with the policies underlying tax normalization, and are not required under the tax normalization provisions of the Internal Revenue Code. (2000)
72. Calls on Congress to exercise careful oversight of this issue and take action as necessary to ensure that deferred excess taxes are properly accounted and do not benefit shareholders of private utilities at the expense of ratepayers and the federal Treasury. (2000)
73. Calls on the Federal Energy Regulatory Commission and state public service commissions to assert their prerogatives as entities charged with establishing "just and reasonable" rates to deny any attempts to secure deferred tax windfalls. (2000)
74. Urges Congress and the Administration to provide incentives necessary to promote a diverse mix of domestic energy fuel sources, including wind, solar, biomass, landfill gas, geothermal, incremental hydropower, fuel cells, clean coal and other energy sources. Should Congress choose to provide energy production or investment incentives through the tax code, public power systems, rural electric cooperatives and tribal utility authorities should be eligible to receive a comparable benefit, such as a tax credit that can be sold, transferred, or assigned to customers and other taxpayers. Congress choose to provide energy production or investment incentives through the tax code, Congress should also consider a comparable incentive that will encourage

Tennessee Valley Authority to provide a more diverse portfolio of clean fuels for its customers. (2001)

75. That APPA believes that the ability of parties to enter freely into contracts, with or without key “walk away” clauses, should not be limited and opposes any legislation to amend the federal Bankruptcy Code (Title 11 U.S.C.) that would impose such limitations; and

That APPA urges Congress to amend the Bankruptcy Code so that the definition of “forward contract merchant” applies to public power. (2003)

76. That APPA urges Congress and the Administration to provide incentives to all electricity providers necessary to promote a diverse mix of domestic energy fuel sources, including wind, solar, biomass, landfill gas, geothermal, incremental hydropower, fuel cells, clean coal and other energy sources; and

That should Congress chose to provide energy production or investment incentives to the private sector through the tax code, public power systems, rural electric cooperatives, tribal utility authorities and other public sector power providers should be eligible to receive a comparable benefit through the tax code. (2004)

77. The American Public Power Association (APPA) encourages local utilities and communities to consider the use of LNG for electricity generation where appropriate and further, endorses expediting siting and permitting processes, as well as intense community education, for the development of LNG facilities which would serve to enhance local utilities’ fuel supply and reliability. In addition, APPA supports the establishment of financial incentives to parties to encourage the development of LNG facilities and the appropriate of funding to federal agencies, as appropriate, to provide adequate resources to support the development of additional needed LNG facilities. (2004)

78. That the American Public Power Association urges the Treasury Department to ensure that municipal bonds retain their clear exception from the definition of “tax shelter” under Circular 230 and remain outside the requirements of Circular 230. (2004)

79. That the American Public Power Association support federal legislation that creates full or partial credits for the purchase of new hybrid vehicles, which would afford publicly owned utilities subject to the 1992 Federal Energy Policy Act requirements regarding the purchase of alternative fueled vehicles other options for compliance with the 90% AFV requirement. (2005)

80. That the American Public Power Association supports efforts to reduce the federal deficit.

That-the American Public Power Association opposes any effort to further limit the use of tax-exempt financing, now, or in the future.

That the enactment of other tax-related proposals affecting public power systems must not come at the expense of access to our traditional financing methods. (2005)

81. That APPA will work to ensure that the U.S. Tax Code is amended through the legislative process to include taxable tax-credit bonds to provide financial incentives for not-for-profit electric utilities to invest in renewable energy sources and clean energy facilities; and

That the American Public Power Association endorses the key principles of the Clean Energy Bond Act of 2005 (S. 962), and will work with members of Congress and the Administration to secure its enactment; and

That APPA expresses its appreciation to Senators Grassley and Baucus for their leadership in promoting legislation that will provide financial incentives for investments in renewable energy facilities to public power and rural electric cooperative utilities that are comparable to the tax incentives provided to private companies for such investments. (2005)

82. That the American Public Power Association (APPA) urges Congress to couple the following rail customer relief provisions with any investment tax credit provided to the railroads:

- A provision that removes all of the railroad industry's exemptions from the antitrust laws.
- A defined, mandatory and enforceable "obligation to serve" (similar to the obligation that load-serving electric utilities have to provide power to their customers) provision that is provided as new authority to the STB.
- Provisions such as those included in S. 919 and H.R. 2047 that overturn the anticompetitive rulings of the STB, and that allow the railroads to block rail customer access to competing railroads.
- Provisions that require a new rate reasonableness standard based on railroad cost of service for the shipment in question, provide filing fees in line with filing fees in U.S. District Court, and require the railroad to justify a rate when the complainant has proved the rate is within the jurisdiction of the STB and the complainant is subject to railroad monopoly power for the shipment in question.
- A requirement that the investment tax credit must be used to develop railroad infrastructure that would ensure the timely delivery at fair prices of domestic energy supplies within the United States for ultimate consumption in the United States. This new infrastructure must be operated in a pro-competitive manner so as to deter the enhancement of railroad monopoly power over specific shipments. (2006)

83. The American Public Power Association urges Congress to extend the CREB program for multiple years beyond 2007 in conjunction with and for the same term as it extends the production tax credit and investment tax credit for the for-profit utility sector; and

APPA urges Congress to lift the \$800 million volume cap to ensure that all qualified applicants receive full funding for their projects. (2006)

84. That APPA urges Congress to eliminate an unjust windfall for shareholders of independent transmission companies by not extending the capital gains tax deferral provision for Transcos included in EPAct05.(2007)
85. That the APPA urges Congress to extend the CREB program for multiple years beyond 2008 in conjunction with and for the same term as it extends the production tax credit and investment tax credit for the for-profit utility sector; and

That APPA also urges Congress to eliminate the volume cap on the CREB program, modify the allocation methodology so that the public power sector receives a fair share of CREB allocations, modify to allocation methodology to create more parity among large and small renewable projects, and address the technical problems with the program, including, but not limited to, adjusting the term and the rate of the bonds. (2007)

86. That the American Public Power Association (APPA) supports federal legislation to provide for financial programs and incentives to facilitate the supply-chain development of harvesting and processing field residue, agriculture and forest wastes, and dedicated crops such as switchgrass and prairie grasses into a form to be used to generate electricity. (2008)
87. That the American Public Power Association (APPA) urges Congress to modify the production tax credit for nuclear facilities to permit a public power system or cooperative to transfer or sell its allocation of these tax credits to an investor-owned utility (IOU) project co-owner in a manner agreeable to each party; and

That APPA commends the Senate Energy and Natural Resources Committee for addressing the “undivided interests” issue and urges Congress to pass this legislation; and

That APPA urges DOE’s Office of General Counsel to revisit the issues surrounding “undivided interests” in the absence of legislation. (2009)

88. That APPA supports the intent of bills such as S. 1091/H.R. 4210, *The Storage Technology of Renewable and Green Energy Act*, introduced by Sen. Ron Wyden (D-OR) and Rep. Mike Thompson (D-CA) that seek to incentivize the use of storage technologies; and

That APPA urges Congress to provide equitable federal tax incentives for energy storage technologies to all sectors of the electric utility industry, by lifting the cap on the Clean Renewable Energy Bond (CREB) program so customers of municipal and cooperative utilities can also benefit from these incentives; and

That APPA calls on Congress to lift the cap on CREBs in order to maximize the ability of consumer-owned utilities to adopt cost-effective renewable and energy storage technologies. (2010)

89. That the American Public Power Association (APPA) supports expanding the Section 1603 program to public power systems; and

That APPA supports S. 2899, the Renewable Energy 31 Incentive Act, and encourages Congress to act upon this or similar legislation. (2010)

90. That the American Public Power Association opposes federal sequestration of credit payments to Build American Bond (BAB) and New Clean Renewable Energy Bond (New CREB) issuers; and

That APPA urges the Administration and Congress to take such steps as are necessary to prevent sequestration of BAB and New CREB credit payments to issuers (2014)

91. That the American Public Power Association (APPA) supports the Regulatory Flexibility Act (RFA) and its requirement that federal agency rules, regulations, and requirements be assessed to determine their effect on small entities, including small public power utilities, and to appropriately weigh the costs against the benefits of imposing these rules, regulations, and 55 requirements; and

That APPA believes the RFA standard for determining whether a public power utility, as a governmental jurisdiction is “small” should be reformed to reduce the number of public power utilities that are considered large and properly reflect the status of the vast majority of public power utilities, which are indeed physically and functionally "small" in the context of the current consolidation in the electric power industry; and

That APPA believes that any employee-based standard of a small public power utility should count only electric utility employees, and not other non-electric utility governmental employees. (2015)

92. That the American Public Power Association (APPA) supports the Environmental Protection Agency’s (EPA) decision to regulate coal combustion residuals (CCR) as non-hazardous waste under Subtitle D of the Resource Conservation and Recovery Act (RCRA); and

That APPA supports legislation to address the flaws in EPA’s final rule on issues such as the lack of state enforcement authority, the lack of state flexibility to establish site-specific corrective action remedies, and the tenuous status of the agency’s Bevill regulatory determination that CCR is a non-hazardous waste, among others. (2015)

93. That the American Public Power Association (APPA) supports swift enactment of the Wildfire Disaster Funding Act, or other similar wildlife funding mechanisms (both legislative and regulatory) to address the inadequate and inequitable funding to prevent and fight major forest fires. (2016)

94. That the American Public Power Association (APPA) strongly supports making needed electric power system infrastructure investments necessary to safely, reliably, and affordably provide power to more than 49 million Americans served by public power utilities; and

That APPA strongly supports the continued use of tax-exempt municipal bonds to finance electric power infrastructure investments by public power utilities; and

That APPA adamantly opposes any effort to tax the interest paid on municipal bonds and, as a result, impede electric power infrastructure investments by increasing the cost of financing those investments. (2017)

95. That the American Public Power Association (APPA) strongly believes the federal government should not try to encourage, pressure, or otherwise incentivize states and localities to privatize public facilities, the cost of which would ultimately be paid by residents and business; and

That APPA would adamantly oppose any effort to impose pressure to privatize, whether by Executive Order, federal regulatory changes, or federal legislation. (2018)

96. That the American Public Power Association (APPA) strongly believes that tax-exempt municipal bonds have been, and will remain, the most powerful and effective tool for financing public investments in public infrastructure; and

That APPA believes that insofar as Congress wants to incentivize further investments in infrastructure, it should focus on improving this incredibly powerful financing tool with a municipal bond modernization agenda; and

That APPA believes that a municipal bond modernization agenda should reinstate tax-exempt advanced refunding bonds, increase the small-issuer exception from \$10 million to \$30 million, exempt payments to Build America Bond issuers from federal budget sequestration, and repeal outdated private-use rules. (2019)

97. That the American Public Power Association (APPA) believes if Congress is going to continue to use the tax code to drive federal energy and environmental policy, it must provide comparable incentives to public power utilities that—because of their tax-exempt status—cannot directly access many energy-related tax credits, such as the wind production tax credit (PTC) and solar investment tax credit (ITC); and

That APPA applauds lawmakers in Congress who are seeking to make federal energy investment incentives fairer and more efficient by pursuing legislation that will allow tax-exempt entities, including public power utilities, to benefit from energy-related tax incentives; and

That APPA commits to working with members of Congress seeking to improve upon past efforts, or seeking new approaches, to provide comparable incentives to energy-related tax incentives; and

That APPA strongly encourages Congress, as it develops comprehensive climate legislation, to ensure public power utilities are put on a level playing field for making investments in renewable resources by providing them with comparable incentives for the PTC and ITC. (2020)

FEDERAL POWER MARKETING

1. Urges the Congress to appropriate necessary funds for the Rural Electrification, the TVA, the Bureau of Reclamation, the Bonneville Power Administration, the Southwestern Power Administration and other public power projects as they may appear economically justified. (1947)
2. As petitioning and recommending to the Congress that, the continuing fund of SPA for the ensuing fiscal year be increased to the reasonable sum of \$3,736,000 as recommended in the revised budget submitted by Budget Director Dodge, after careful consideration and study of the welfare of the vast Southwestern area of the United States and of the financial needs of the Southwestern Power Administration, in order that transmission and substation facilities already constructed may be utilized for the public welfare and the good name of the Government may not be impugned by repudiation of its contractual obligations to preference customers. (1953)
3. Urges that the Senate of the United States include in such legislation regarding the Tennessee Valley Authority a provision for the installation of much needed additional generating facilities. (1953)
4. Registers its opposition to the execution by the Department of the Interior of any contract with privately owned electric power companies which does not allow the power consumer to choose his source of power supply, and which does not make power available to preference customers through a mutually agreeable wheeling arrangement, or through some alternate means which preserves to those preference customers the full benefits, both present and future, as to availability and cost to which they are justly and legally entitled. (1953)
5. Condemns the past practice of diverting interest from power revenues to retire capital amounts invested in irrigation projects and recommends that it not be employed in future Reclamation projects. This recommendation is made in the best interest of the American taxpayer, of the public power industry and of the public it serves. Adoption of such a policy would avoid a concealed subsidy, the benefits of which go to only a limited number of persons at the expense of the federal Treasury. (1953, 1954)
6. Opposes the increasing burden which is being placed upon the power users in order to subsidize irrigation projects. (1954)
7. Condemns the practice of withdrawing authority from those power agencies located in the areas they serve and instead centralizing such authority in Washington. (1954)
8. Supports legislation seeking remedial action of fair policies and practices relating to cost allocations and other conditions which will conform to the policy of Congress that federal power be marketed as nearly as possible at actual cost. (1957, 1958, 1960)
9. Urges adoption by the federal government of a capital budget which will reflect in a businesslike manner federal investment in wealth-creating, self-liquidating projects for development of natural resources and construction of power marketing facilities. (1958, 1959, 1960, 1962, 1963, 1964)

10. Urges that the relevant federal statutes be amended to authorize the appropriate federal power marketing agency to enter into coordination agreements and contracts for the sale, purchase, and exchange of energy, stored water and use of transmission facilities with the owners of non-federal hydroelectric generating facilities: provided, that such arrangements may be entered into for periods not to exceed 50 years and be subject to review every five years: provided further, that such legislation set forth standards to be used in formulating such agreements and include a method of appeal for the enforcement of such agreements: and provided further, when such agreements require payment for headwater benefits, such payments shall not exceed the annual costs which would have been incurred if the downstream beneficiary owned and operated that portion of the upstream facility allocated to such downstream plant. Payments made under such agreements may, if the agreements so stipulate, constitute complete satisfaction of payments required under section 10(f) of the Federal Power Act. No such agreement shall be contrary to the terms or provisions of any permit or FPC license nor shall any compensation be paid on behalf of any existing upstream storage project for any benefit it is legally obligated to provide as a requirement of its permit, license or otherwise; and urges the Senate Committee on Interstate and Foreign Commerce to request the Secretary of the Interior and the Federal Power Commission to conduct a study of upstream benefits and coordinated operation as they may affect present and future hydroelectric power projects. (1960)
11. Recommends establishment of a Northeastern Power Administration in the Department of Interior to make a comprehensive study of the electric power resources of that region, including the Ohio Valley. (1960, 1961, 1963, 1964)
12. Recommends that Congress authorize the Secretary of the Interior to build transmission lines to deliver Niagara power to public and co-op electric systems in states neighboring New York in accordance with the intent of Congress; and urges that the Power Authority of the State of New York allocate Niagara power to public agencies and co-ops in those states and assist in arranging for wheeling in the absence of federal lines. (1963)
13. Commends actions of the Administration in creating a more accurate measurement of federal project values and urges similar forward-looking action with respect to cost allocations and pay out. (1963)
14. Urges the Secretary of the Interior to adopt a policy of providing an engineering and economic analysis of each major power contract proposed by a federal power marketing agency to show the purpose of the contract and the economic effect over the life of the proposed contract, and to furnish a copy of this analysis to each of the parties directly affected and to the public generally and to permit a reasonable period for comments; and recommends that the secretary of the interior incorporate into the declared federal power policy of the Department of the Interior a set of criteria or standards for power pooling, exchange, or coordination contracts which will achieve benefits to preference customers not less than would be achieved by a federal transmission system at federal cost; and urges the Southwestern Power Administrator to insure that any proposed SPA-company contract (a) include all present and future public and cooperative electric systems in the entire SPA marketing area including Louisiana and Kansas; (b) incorporate provisions for standby power to preference customers; and (c) provide for wheeling and interchange among preference customers and SPA. (1966)

15. Urges that the Department of the Interior consult with representatives of local public power systems in advance of any revision of existing federal power marketing policy. (1970)
16. Believes that before any action on hydro rates is taken by the USBR or Department of the Interior that an up-dated payout study of the Missouri Basin Project be discussed publicly with the preference customers in the region and that a copy of the payout study together with an explanatory text be provided to members of the appropriate Congressional committees for review. (1970)
17. Urges the appropriate committees of Congress to insist on a review of the criteria and cost detail that are developed to justify the announced rate increases for all federal power projects. (1973)
18. Supports the concept of regional power plans which are consistent with the existing preference laws, fair to existing and future preference customers, stand on their own merits under the existing and future preference customers, stand on their own merits under the existing antitrust laws and policies, embody traditional federal rate-making policies and practices for pricing of federal power pursuant to now existing antitrust laws and policies, embody traditional federal rate-making policies and practices for pricing of federal power pursuant to now existing applicable law, and permit power pools involving the sale of various power resources form various parties. Specifically:
 - (1) The Association endorses the concept of a regionally-coordinated conservation program under established standards adopted by the individual states, and the concept of providing federal funding for direct electric energy conservation activities;
 - (2) The Association endorses the concept of purchase on non-federal power by the Federal Power Marketing Agency, the Bonneville Power Administration, with provision for resale of both federal and such non-federal power in accord with the applicable federal preference law;
 - (3) The Association approves the establishment of a regional utility planning organization to provide necessary joint regional load and resource forecasts; to designate, under appropriate standards, those generating plants to be constructed as a source of power to be purchased by the Bonneville Power Administration for regional power supply needs; and to provide joint regional utility overview on the construction and operation of such designated generating plants;
 - (4) The Association approves the concept in the proposed Pacific Northwest legislation which assures continuation of the use of tax-exempt revenue bond financing by the local governmental utilities which will construct and operate generating plants in connection with the regional power supply program, and in this regard, the committee supports provisions that retain the cost and benefits of public financing to the participating consumer-owned utilities;
 - (5) The Association endorses the concept that all resources available to the Bonneville Power Administration from federally owned facilities and from "net-billed" facilities as authorized by congress are subject to the preference and priority provisions of the Bonneville project act of 1937, estimated at 9500 average mw;
 - (6) The Association endorses the policy of marketing all preference resources of under traditional federal rate-making policies and practices for the pricing of

federal power pursuant to now-existing applicable law, including estimated revenue from nonfirm power;

- (7) The Association endorses the concept of allocating a fixed amount of resources equal to the firm energy capability of the hydroelectric generating resources of the Federal Columbia River Power System (approximately 6900 average mw) to publicly and cooperatively owned utilities which accept a full public utility responsibility to supply power to a classes of customers, including domestic and rural, in their service areas, and to publicly an cooperatively owned or non-profit wholesale power supply organizations which serve such utilities;
- (8) The Association further endorses provisions: (a) for re-acquisition of all preference power by publicly and cooperatively owned utilities upon the expiration of the power supply contracts to be executed under S. 2080/H.R. 9020; and (b) to assure that the act shall in no way affect preference or the federal power marketing laws. The Association will not abandon its historic position with respect to the sale of federal preference power, the application of the federal antitrust laws, and the formation of new publicly and cooperatively owned electric utilities. (1978)

19. Supports the following positions on pricing of federal power:

1. In the pricing of federal power, the guiding principle should continue to be the adequate recovery of the costs of the projects. We believe that this has been, and should continue to be, the criteria for such pricing and that this is the proper application of existing statutes. Any attempts by the Department of Energy to include pricing criteria not provided for in the laws authorizing federal power projects would be strenuously opposed by APPA and its members. Rate structures or designs to control or affect consumer use of power should continue to be the right and responsibility of the utility or agency providing service to the ultimate consumer and as established by legislative bodies.
2. If, and to the extent that, the Department of Energy has review responsibility over rates of federal power marketing agencies, the agency or officer exercising review authority for pricing federal power should establish the procedures for such review through a rule-making proceeding which would give all interested parties an opportunity for comment and an opportunity to develop a full record.
3. Review by any such DOE agency should be preceded by a published rate-making procedure to be adopted and followed by the federal marketing agencies.
4. The rate-making procedure for federal marketing agencies should include at least the following due process elements:
 - (a) Informal meetings with all interested parties.
 - (b) Comprehensive average rates and repayment study, including a breakdown of actual costs and expenses and the allocation thereof.
 - (c) Publication of proposed rates and rationale.
 - (d) Availability of all relevant studies to all interested parties.
 - (e) On-the-record hearings which include an opportunity to question representatives from marketing agencies and any other interested parties submitting studies or recommendations.
 - (f) Opportunity for interested parties to cross-examine representatives of the marketing agency and representatives of other interested parties submitting studies or recommendations, as to those matters where cross-examination

appears reasonably necessary for the development of a complete record for decision and review

(g) Opportunity to file written comments.

(h) Publication of written comments and opportunity to comment on comments.

5. Rate-making shall be conducted by the federal marketing agencies on a regional basis with common rate-making criteria employed to the extent justified by applicable law, but with the understanding that exceptions to such common criteria might be desirable because of regional differences.
 6. If the Economic Regulatory Administration of DOE is to have a role in rate-making activities, that role should be confined to intervening in rate-making proceedings once they have been initiated by the administrators of the various federal power marketing administrations, with the same rights as any other intervening party.
 7. Rates established by the various federal power marketing administrations should be reviewed in a manner consistent with the review procedures existing prior to the adoption of the DOE Act. Specifically, where review functions were performed by the Secretary of the Interior, they should now be performed by the Secretary of Energy, and where they were performed by the Federal Power Commission, they should now be performed by the Federal Energy Regulatory Commission.
 8. No interim rates should be imposed.
 9. The procedures recommended above would apply only for general increases in power rates and are not intended to address any other power marketing functions.
 10. In recognition of the fact that different procedures may be appropriate for the allocation of federal power than would be appropriate for the pricing of federal power, this resolution does not attempt at this time to address procedures which apply to federal power allocation. (1978)
20. Believes the Congress should enact appropriate legislation to prohibit the financial losses which have been incurred, or will be incurred, as a consequence of the contract between the Southwestern Power Administration and Arkansas Power and Light Company and Reynolds Aluminum Company, from being extracted from the preference customers of the Southwestern Power Administration through its rates under which federally generated hydroelectric power and energy is sold. (1979)
21. Supports legislation authorizing the Western Area, Southeastern, Southwestern, and Alaska Power Administrations to operate on a revolving fund basis comparable to the authority provided by Congress to the Bonneville Power Administration and opposes enactment of S.734 and H.R.3506, unless amended to remove the provisions which restrict and overturn long-established Congressional directives in the operation of Federal power marketing agencies. (1979)

22. Expresses its strong opposition to any study by the Corps of Engineers which assumes its conclusion before being made and which exceeds the jurisdiction and responsibility of the Corps by examining power marketing policy issues which are within the jurisdiction of the Department of Energy and condemns the characterization of the preference principle as anachronistic which characterization completely ignores the continued validity of the preference principle as a means of preserving healthy diversity in the electric utility industry and as providing a "yardstick" to measure the performance of investor owned utilities, and further condemns the proposition that the hydroelectric resources of the federal government should be priced at an artificial level designed to maximize profits rather than insure the most widespread use of such resources at the lowest possible cost as required by federal law. (1979)
23. Endorses the concept of Federal Power Marketing Administration involvement in the purchase of power from and the development of renewable energy resource facilities subject to the following conditions:
- (1) The power so acquired is sold pursuant to traditional policies and practices for the marketing of federal power.
 - (2) Public bodies proposing to construct renewable resource facilities the output of which would be purchased by the power marketing administrations should be able to finance such facilities utilizing traditional financing methods.
 - (3) The cost of purchasing power from renewable resource facilities should be based on the actual cost of producing such power.
 - (4) The power from such facilities should be marketed at a price which does not exceed costs associated with comparable conventional facilities and the costs in excess should be borne by the Department of Energy. (1980)
24. Supports, in the event the Department of Energy is dismantled:
1. The power marketing activities of the Department of Energy should be transferred to the Department of Interior;
 2. The current regional organization and character of the power marketing agencies should be preserved;
 3. The power marketing agencies should report to an Assistant Secretary or Under Secretary of Interior whose primary responsibility would be the development and marketing of power resources;
 4. The Office of Power Marketing Coordination should be preserved; and
 5. Power marketing administration rates should remain subject to independent approval and confirmation by the Federal Energy Regulatory Commission or its successor agency. (1982)

25. Supports DOE's proposal to alter certain currently applicable ratesetting procedures for federal power marketing administrations, except the Bonneville Power Administration, and to restrict the Federal Energy Regulatory Commission to determine only whether federal power rates are high enough to recover the federal government's cost of producing and transmitting power, but not whether they are too high, on condition that it be amended to provide for the following:
1. That the DOE have authority to propose and unilaterally place into effect on an interim basis, subject to refund with interest at rates set by doe, such rates for the sale of federal power as it deems are required by law (hereinafter "Interim Rates");
 2. That DOE certify that its Interim Rates are sufficient, but no more than sufficient under applicable law, and file such Interim Rates with the FERC;
 3. That the FERC accept the DOE's Interim Rates for filing, provide notice thereof to all interested parties and, in the absence of timely protests, promptly confirm and approve such Interim Rates on a final basis without change;
 4. That, in the event interested parties protest the Interim Rates, the FERC shall exercise its traditional "confirmation and approval" authority to investigate and review such Interim Rates, but only to the extent of issues raised before DOE during DOE's public comment process or issues arising after such process by action of DOE officials, and that FERC may take such action thereon as it deems appropriate, including the ordering of refunds of amounts collected in excess of the rate approved and confirmed on a final basis;
 5. That "best efforts: time deadlines be established for expeditions FERC disposition of contested Interim Rates;
 6. That the foregoing principles apply to any rate remanded to DOE and thereafter resubmitted to FERC. (1983)
26. Urges BPA to extend the comment period to provide adequate time for review and comment, including review by the Court, on the proposal for power between BPA and Northwest private power companies since this agreement raises potential questions involving the use of preference power and other factors which affect preference customers in the Northwest. (1985)
27. Opposes the sale, transfer, exchange, lease or other disposition of the federal power marketing administrations and power plants and related facilities for the production and transmission of electricity, and further opposes H.R. 3215. (1986)
28. Commends the Southwestern Power Administration for providing an opportunity for serious discussion of new hydro development in its region using nonfederal financing and the option of federal operation and marketing, and supports the efforts of the preference customers of SWPA to develop a plan for preference customer financed development and federal operation and marketing of new hydro in the region, provided that such plan, if implemented, will continue all the benefits of coordinated federal operation and marketing with innovative customer financing to provide a renewal of long delayed federal hydro development in the SWPA marketing area, and supports efforts of consumer owned utilities in other regions to develop plans for customer financed development of federal hydro projects so long as such plans preserve preference in marketing and public ownership and operation of new projects. (1986)

29. Opposes the sale, transfer, exchange, lease, or other disposition of all five federal power marketing administrations--the Southeastern, Southwestern, Alaska, Bonneville, and Western Area Power Administrations--and power plants and related facilities for the production and transmission of electricity. (1987)
30. Opposes changes in the current method of repayment, including, but not limited to, straight-line amortization of power and irrigation assistance, the accelerated repayment of these obligations, and changes in interest rates from current methods of calculation. (1987)
31. Supports H. Res. 43, introduced by Representative Virginia Smith (R-NE), and urges its swift enactment. (1987)
32. Urges the Congress to enact legislation creating Federal Power Marketing Administrations for the Midwest, Mid-Atlantic, and New England regions, which will protect and promote the interests of consumer-owned electric utilities in those regions. (1987)
33. If power plant O & M responsibilities at any multi-purpose project are transferred from the Bureau, the transfer should be to the appropriate Federal Power Marketing Administration, and should be made only after a determination that such transfer is economically justified. (1988)
34. Supports the enactment of legislation to require the Corps of Engineers to afford customers of the federal power marketing administration notice of proposed changes in project operation that would have an impact on power output and a meaningful opportunity to comment upon such changes. (1988)
35. Urges Congress and the appropriate regulatory agencies to exempt from any spectrum reallocation or reassignment that spectrum assigned to federal and non-federal utilities for their telecommunications systems. (1991)
36. That the American Public Power Association:
 - o supports GSA's 1988 determination that the PMA's have "unique telecommunications mission requirements for the control, monitoring, operation and maintenance of their electric power transmission systems to ensure safe, reliable and efficient operation;"
 - o opposes any action to require the PMA's to use FTS 2000 for power system control or transfer power system control telecommunications systems out of PMA control; and
 - o supports the directive of the Senate Appropriations Committee that neither the PMA's nor the DOE take any action which would reduce the reliability of or forestall the planned replacement, expansion or improvement of PMA telecommunications systems. (1991)

37. Opposes any effort to reallocate or reassign radio spectrum assigned to federal and non-federal utilities unless:
- o these utilities are assigned replacement spectrum of equal or greater reliability;
 - o the costs of acquiring new equipment and any other costs associated with changing spectrum are not borne by the ratepayers of the utilities forced to move;
 - o these utilities are allowed to continue to control and operate their own telecommunications equipment rather than relying on private contractors; and
 - o a grace period is provided to utilities forced to vacate their current spectrum assignments to allow adequate time for such activities as: planning, design, and testing of new telecommunications systems; equipment acquisition and modification; development of new equipment; and acquisition of any additional property rights that are necessary. (1991)
38. Believes federal and non-federal utilities should be represented adequately on any advisory group charged with the responsibility of recommending or determining which, if any, frequencies should be reallocated or reassigned. (1991)
39. Urges the House and Senate conferees on the comprehensive national energy policy act to resolve their differences on Power Marketing Administration integrated resource planning and delete the House WAPA IRP provisions as unnecessary and oppose the inclusion of externalities in integrated resource planning requirements. (1992)
40. Supports the cost-effective development of the full hydroelectric capacity of existing federal dams, but vigorously opposes the Clinton Administration's proposal for private financing of improvements to federal hydropower facilities with the sale of such power at market rates and not subject to existing federal power marketing laws and policies. (1994)
41. Believes when traditional federal funding and development of capacity additions and improvements is not feasible, other alternatives should be examined. Such alternatives among others could include the creation of revolving funds (with appropriate contractor and Congressional oversight) for Southeastern, Southwestern and Western Area Power Administrations similar to the revolving fund authority granted Bonneville Power Administration to finance capacity additions at Bureau and Corps dams in the Energy Policy Act of 1992, or nonfederal financing through cost-sharing arrangements so long as the benefits of coordinated federal operation are preserved. However, these and other possibilities alternatives must be consistent with: 1) federal preference laws; (2) federal control over development of federal water and power resources; (3) federal marketing of power from federal projects; and (4) cost-based pricing of federally-developed water and power resources. (1994)

42. Supports studies by the individual federal power marketing administrations of alternative organizational, operational and financial structures, which are conducted in close consultation with the federal power customers, and address the following concerns. Any studies or implementing legislation must be on a project-by-project basis. The ultimate conclusions of such studies will be evaluated by APPA and address the following concerns:
- o Continuation of the historic federal commitment to serve consumer-owned electric systems;
 - o Preservation and strengthened accountability of the federal power marketing administrations to federal power customers;
 - o Continuation of cost-based rates;
 - o Enhancement of federal power operations and marketing, and improved efficiency in management of federal hydropower resources; and
 - o No adverse impact on rates. (1994)
43. Continues to support federal ownership of PMAs, the preference principle and cost-based pricing of hydropower generated at federal dams. (1995)
44. While APPA continues to oppose the privatization of the PMAs, in order to preserve competitive positions and protect consumer interests, APPA is willing to consider alternatives that preserve and enhance the value of federal assets for firm power customers. (1995)
45. Supports in principle the guidelines drafted by the APPA Ad-Hoc Task Force on PMA Enhancement concerning changes to the PMAs. (1995)
46. That the APPA expresses deep appreciation to the organizations that worked collectively to oppose the House Resources Committee's plan to auction the U.S. Power Marketing Administrations. (1996)
47. That the APPA commends the Administration for supporting the historic partnership between the federal government and the preference power customers of the federal power marketing administrations. (1996)
48. The PMAs perform a vital role in providing a yardstick for measuring competition and are an essential resource for consumer-owned utilities. Accordingly, the PMAs should not be adversely affected by restructuring legislation. (1998)
49. The PMAs must retain the ability to meet their contractual obligations, including purchased power when necessary, and deliver the power to customers under existing contract terms. The PMAs also must retain the ability to use alternative finance mechanisms to help pay for these services. (1999)

50. APPA urges Congress to approve appropriations of approximately \$89 million for purchased power and wheeling in FY 2000 for WAPA, SWPA and SEPA and include statutory language in the funding legislation that continues currently existing alternative financial arrangements and such other language supported by the customers of the power marketing agencies that reduce the need for additional appropriations. (1999)
51. Urges the Congress and the Administration to work with PMA customers to resolve the ongoing funding and budget scoring problems associated with annual PMA appropriations while insuring the continuation of effective congressional and customer oversight, and to increase ongoing efforts to expand customer participation in the planning and budgeting process of the Corps of Engineers and the Bureau of Reclamation. (1999)
52. APPA urges Congress to continue to appropriate the necessary funds to allow the PMAs to meet their obligations to deliver power under existing contract terms, and to retain and enhance the use of alternative financing mechanisms for purchasing and wheeling power, thereby reducing the need for appropriations. (2000)
53. Urges PMA customers, Congress and the Administration to increase their efforts to expand customer participation in the planning and budgeting process of the Corps of Engineers and the Bureau of Reclamation whose projects generate electricity marketed by the PMAs. (2000)
54. That APPA reaffirms its support of federal ownership of the PMAs, the preference principle and cost-based pricing of hydroelectric power that is produced at federal dams and marketed to non-profit municipal electric systems, rural electric cooperatives, and state and federal agencies and that APPA urges Congress to continue its support of the PMAs and to work with existing customers and the Administration to continue to improve their operations in a manner that protects the public interest and is consistent with current law. (2003)
55. To relieve financial pressures resulting from the current drought, the American Public Power Association urges the United States Bureau of Reclamation (USBR) and the Western Area Power Administration (Western) to implement cost-cutting measures and strategies to improve the status of the Upper Colorado River Basin Fund and stabilize the CRSP power rate, and to work in partnership with the CRSP customers to develop operational, financial, and rate-setting strategies that addresses the drought situation, create a sustainable cash flow and maintain a viable power rate.

That the American Public Power Association encourages the passage of federal legislation that would make available, through the duration of the drought, appropriations to the USBR and Western, to ensure ongoing funding of CRSP operations and other required annual funding obligations. (2005)
56. That the American Public Power Association opposes the proposal in the Administration's fiscal year 2006 budget request to increase the rates for PMA power until they reach market rates because it will result in an unwarranted increase in electricity rates for millions of Americans and urges Congress to soundly reject this or any similar proposal. (2005)

57. The American Public Power Association (APPA) continues to oppose any proposal that would abandon the principal of cost-based rates for the federal Power Marketing Administrations (PMAs);

APPA urges the Administration to reverse its decision to accelerate repayment of the BPA debt and to increase the interest rate charged on other PMA debt above the U.S. Treasury long-term cost of borrowing;

APPA urges Congress to block the Administration's proposals cited above and any others that would abandon the fair, reasonable and equitable principles that have guided the pricing of federal power for nearly a century. (2006)

58. That the American Public Power Association (APPA) calls upon the federal government to ensure that all costs associated with ensuring security of federal hydropower and delivery system facilities in the aftermath of the events of September 11, 2001, are treated as non-reimbursable and that payment of such costs be funded through federal appropriations; and

That, if the Bureau of Reclamation proceeds to charge power customers for site security costs, then APPA urges Congress to expressly authorize oversight of the Bureau's site security program to ensure accountability to Congress and to provide cost certainty to funding stakeholders through an equitable, durable allocation of costs. (2006)

59. That APPA supports legislation, such as H.R. 3824, the Threatened and Endangered Species Recovery Act of 2005, and H.R. 4857, the Endangered Species Compliance and Transparency Act of 2006, that would require the PMAs to estimate and report the direct and indirect costs of environmental compliance to each wholesale firm power customer on a monthly billing basis; and

That APPA supports gathering and reporting this information in a way that does not create additional costs for the PMAs. (2006)

60. That the American Public Power Association (APPA) continues to oppose any proposal that would abandon the principle of cost-based rates for the federal Power Marketing Administrations (PMAs); and

That APPA urges the Administration to reverse its decisions to: accelerate repayment of the BPA debt; to increase the interest rate charged on other PMA debt above the U.S. Treasury long-term cost of borrowing; and to prescribe or accelerate the repayment schedule when the PMAs have to access their emergency or continuing funds; and

That APPA urges Congress to block the Administration's proposals cited above and any others that would abandon the fair, reasonable and equitable principles that have guided the pricing of federal power for nearly a century.(2007)

61. That APPA believes that the changes proposed in Secretary Chu's March 16, 2012, PMA memorandum are either unnecessary or premature; and

That APPA urges the Secretary to postpone the implementation of the memo and seek customer and congressional input. (2012)

62. That the American Public Power Association opposes cost increases to Western Area Power Administration (WAPA) and Southwest Area Power Administration (SWPA) customers that do not receive the direct benefits and services of transmission enhancements and new transmission construction authorized by section 1222 of the Energy Policy Act of 2005 (42 U.S.C. 16421);

That APPA opposes cost increases to WAPA customers who do not receive the direct benefits and services of transmission enhancements under the Transmission Infrastructure Program authorized by section 402 of the American Recovery and Reinvestment Act of 2009; and

That APPA urges SWPA and WAPA to adopt the policy of “cost causation,” that is, he who causes the cost pays for it. (2015)

63. That the American Public Power Association (APPA) calls on the Department of Interior, and specifically, the Bureau of Reclamation, to comply with the law and assess Central Valley Project Improvement Act (CVPIA) Restoration Fund charges in proportion to Central Valley Project (CVP) cost allocations; and

That APPA calls on Congress to investigate the transparency of current expenditures and the disproportionate assignments of CVPIA costs; and

That APPA urges Congress to take appropriate steps to ensure the proper allocation of costs to federal power customers. (2016)

64. That the American Public Power Association (APPA) is opposed to divesting the transmission assets of Bonneville Power Administration, Western Area Power Administration, and Southwestern Power Administration; and

That APPA supports the continued existence and federal ownership of the Power Marketing Administrations, and the sale of federally generated hydropower at cost-based rates. (2017)

65. That the American Public Power Association urges the Bureau of Reclamation to take prompt and timely action to ensure full crediting to Central Valley Project power customers for overcharges made by the agency for costs associated with the Central Valley Project Improvement Act. (2019)

FUELS

1. Reaffirms its opposition to restrictive measures which would limit in any manner the importation of residual fuel oil. (1955, 1956, 1957, 1958, 1959)
2. Urges that the federal government expand its efforts to develop economically competitive techniques of processing oil from shale rock, build demonstration plants as cost yardsticks for private industry, and lease federal oil shale land only with strong protection against private monopoly and speculation. (1967)
3. Supports a flexible policy toward oil imports to alleviate air pollution by increasing the supply of low-sulfur fuel. (1968)
4. Requests that President Nixon mobilize the resources of the federal government, including the Federal Power Commission, the Interstate Commerce Commission, the Office of Emergency Preparedness and the Department of Justice, to aid in the alleviation and elimination of the current critical shortage of coal in order to prevent serious loss of electric service in the United States. (1970)
5. Urges (a) that the Federal Power Commission require gas producers to make a full public disclosure of information on gas reserves; and (b) that the FPC conduct an independent analysis of the reserve situation prior to any consideration of price increases for producers, including publication of cost data so that the public may know what it actually costs to produce reserves of gas under given circumstances. (1970)
6. Urges the President to appoint an independent national energy commission to make a detailed, long-range objective study to include (a) the nation's future requirements, (b) the availability of energy resources to meet those requirement with minimal adverse effects on the environment, and (c) the scope and emphasis of research needed to provide the best utilization of the nation's energy resources; and that such a commission be directed to formulate a proposed national policy on energy development and usage which would take into account such questions as the relative values of various energy resources in light of their availability and impact on the environment, importation and exportation of energy sources, and tax incentives in the development of energy sources. (1970)
7. Endorses enactment of the following bills by the 92nd Congress:
 - (1) S. Res. 45, authorizing the Senate Committee on Interior and Insular Affairs to undertake a study of national fuels and energy policy and to report its findings, together with recommendations for legislation to the Senate by September 1, 1972.
 - (2) H.Con Res. 266, directing the Federal Trade Commission to make a two-year antitrust investigation and study of companies engaged in the production or sale of coal, gas, and uranium.
 - (3) H.R. 4731, amending the Clayton Act to preserve competition among suppliers of coal, oil, and uranium by requiring divestiture of coal and uranium assets by oil companies.
 - (4) H.Res. 327, creating select committee in House of Representatives to study energy and fuels problems. (1970)

8. Urges its members, as public agencies, to undertake programs to encourage the efficient use of energy resources which would insure cost savings and adequate and reliable energy supply to consumers. (1971)
9. Supports legislation which (1) would lead to an in-depth investigation of the price and supply problems in the production and sale of the nation's basic energy resources, such as coal, gas, oil, and uranium, (2) would establish a national energy policy on the utilization of such energy resources, and (3) promote vigorous enforcement of the antitrust laws and various regulatory acts to stop the growth of monopoly in the production and sale of basic energy resources. (1971)
10. Urges the President and Congress to take all measures necessary to assure the nation of an adequate fuel supply in future years by prosecuting all violations of existing antitrust laws, limiting the export of coal and relaxing as necessary restrictions on the import of oil and all domestic oil reserves, including an Alaskan pipeline, be developed and furthered with all due dispatch; and joins in the establishment of an "Energy Task Force" to extensively study the issues as they affect municipalities. (1972)
11. Urges the Congress to exempt imported crude oil destined for use in the generation of electric energy from the requirement that at least 50% of crude oil imports be carried on ships of the U.S. (1972)
12. Calls upon the Federal Power Commission to conduct a truly public investigation of natural gas reserves and related questions, free from the influence of financially interested private parties. (1972)
13. Adopts as policy recommendations of the APPA task force with respect to any federal legislation regulating surface mining of coal, including federal minimum standards, implementation of standards, procedural safeguards, orphan banks, and federal reclamation projects. (1972)
14. Opposes adoption of the proposed optional procedure for certifying new producer sales of natural gas as set forth in FPC Docket No. R-441, issued on April 6, 1972. (1972)
15. Endorses enactment by the Congress of legislation (a) directing the Federal Trade Commission to make a two-year antitrust investigation and study of companies engaged in the production or sale of coal, gas and uranium, and (b) amending the Clayton Act to preserve competition among suppliers of coal, oil, and uranium by requiring divestiture of coal and uranium assets by oil companies. (1972)
16. Favors the formation of a federal corporation to engage in the exploration and development of oil, coal, and natural gas resources located on off-shore and other federal lands, the purposes of such a corporation to be to supplement gas supplies and to provide an independent, public source of information as to the full legitimate cost of production of gas, and the product of the corporation to be sold at fair and reasonable rates to established commercial outlets. (1972)

17. Asks that the President and Congress take all measures necessary to assure the nation an adequate and reasonably priced fuel supply in future years, including vigorous enforcement of the antitrust laws; the extension of encouragement and tangible support to the Federal Trade Commission in the conduct and speedy completion of its on-going investigation for possible antitrust violations of natural gas industry procedures for estimating reserves, and its four-part economic study of concentration in the energy sector; the elimination of discriminatory restrictions on the import of foreign oil; and the construction of an Alaskan pipeline. (1972)
18. Endorses the establishment of strategic petroleum reserves of such size as to offset a minimum of a ninety-day interruption of imported petroleum from sensitive areas. (1973)
19. Believes that the need to establish just and reasonable rates which protect consumers against exploitation by natural gas producers remains unchanged and prices set by producers on the basis of "all traffic will bear" can give no assurance of price or supply protection to the nation's consumers, and opposes any proposal to deregulate natural gas prices. (1973)
20. Recommends the following:
 - (a) The Congress should immediately suspend those tax incentives Which operate to induce petroleum companies to undertake foreign exploration in preference to domestic exploration and development of oil and gas reserves;
 - (b) The government should dispose of publicly held fuel resources only under terms and conditions which guarantee diversity of ownership control over the nation's basic fuel resources;
 - (c) The Congress should make funds available to the U.S. Geological Survey for the purpose of conducting a comprehensive investigation of coal reserves on public lands in order that such information be made public prior to the lease or sale of such reserves;
 - (d) The Congress should examine the need for the institution of public utility type regulation of all fuel companies operating in interstate commerce or holding leases on publicly owned lands;
 - (e) The Congress should enact legislation requiring the full public disclosure of all fuels production, sales, lease-hold and reserve ownership data by any party now holding leases on public lands and as a prior condition for acquiring such leases in the future; and
 - (f) There should be established a requirement that all fuel lease-holders on public lands enter into fuel production within a reasonable time following the acquisition of such leases. (1973)
21. Urges the formation of a comprehensive system for the allocation of fuels which will guarantee adequate fuel supplies to electric utilities -- both large and small -- and other essential public services at just and reasonable prices, and requests, (a) that the President immediately designate a public official to assume responsibility for coping with allocation problems until such time as a comprehensive allocation system can be made operational; (b) that Congress enact such legislation that is essential and necessary to immediately effectuate fuel allocations; and (c) that the Federal Trade Commission, the Justice Department, and other government agencies as appropriate, conduct a thorough investigation of pricing patterns in the fuels industry. (1973)

22. Urges the enactment of legislation which would require oil and natural gas companies to divest themselves of competing fuel resources such as coal, geothermal, and uranium. (1974)
23. Believes that the proper development of the energy resources of this nation through surface mining of coal deposits is in the total public interest; and adopts as policy recommendations of the APPA task force with respect to any federal legislation regulating surface mining coal. (1974)
24. Will exert every reasonable effort and pursue all possible avenues to assure the supply of interruptible natural gas for publicly owned combustion generation units. (1974)
25. Asks that the Administration and the Congress take steps immediately to roll back the prices of oil, coal, and other fuel products to reasonable levels based on actual cost of production plus a reasonable return. (1974)
26. Urges the Congress to enact legislation which will set uniform definitions in determining the extent of the nation's fuel resources, including oil, coal, natural gas, uranium, and oil shale; establish a federal program of data collection in order to determine the extent and nature of domestic fuel resources, including fuel inventories, production capability, and ownership; subject holders of fuel inventories, production capability, and ownership; subject holders of fuel resources to periodic audits; and provide the consumers of the nation with the results of a federal program to collect accurate data on the fuel resources of the nation. (1974)
27. Reaffirms its support of a federal corporation to engage in the production and sales of fuel resources, and endorses legislation to establish a Federal Oil and Gas Corporation, but urges the Congress to empower such a corporation to engage in the development and sale of all fuel resources, including nuclear, coal, and geothermal in a manner which will promote competition in the fuels industry; and believes such a federal corporation should supply the nation's consumers with data on the real cost of producing oil, shale, gas, coal, nuclear, and geothermal resources. (1974)
28. Urges that the Administration and the Congress create leasing procedures which will advance competition in leasing of fuels on federal lands and in offshore waters, and also protect the interests of small and consumer owned entities by providing for royalty bidding, instead of bonus bidding, priority for consumer-owned power systems, and other antimonopoly policies. (1974)
29. Supports the coal conversion program but urges that the Federal Energy Administration not require a utility to convert or construct a generating unit to burn coal unless it is in the best interest of the consumers on the utility's system. This shall not be done without first determining (1) the availability of sufficient quantities of reasonably priced suitable coal, (2) the availability of reliable and economic transport for such coal, (3) the environmental impact of the proposed use of coal, (4) the economic feasibility, and (5) the ability to obtain proper construction and operating permits. (1975)

30. Encourages the concept of ownership of energy sources by consumer owned electric utilities and by the Tennessee Valley Authority in order to help ensure an adequate supply of fuel at reasonable cost for the benefit of the consumers served by local public power systems. (1975)
31. Recommends that the federal government immediately compile a record of all energy fuel resources now being or committed to be exported and used outside this nation; make such information available to Congress and the general public; and recommend to Congress any necessary legislation enactments to control, or if need be, limit the exporting of energy fuel resources. (1975)
32. Urges the Congress to investigate the impact on competition of allowing major oil companies to engage in more than one level of the oil industry including production, refining, transportation, and distribution. (1975)
33. Supports the development of energy resources on federal lands to aid in meeting current fuels and energy needs and urges the Congress to amend all federal energy resources leasing laws to:
 - (a) Provide for leasing only on a competitive bidding basis, including deferred bonus bidding, royalty bidding and other systems, which will allow small, non-integrated organizations to participate in leasing programs.
 - (b) Encourage production from existing leaseholders by requiring a lessee to diligently develop all of his existing leases before he is eligible to hold additional leases.
 - (c) Provide for a national limit on the amount of leases of each energy resource a company may hold.
 - (d) Strengthen the current requirement for diligent development of leases and provide for administrative cancellation of a lease if it is not so developed within a reasonable time limit.
 - (e) Institute pre-leasing reviews of potential lessees in order to determine whether activities under a lease would create or maintain a situation which is inconsistent with the anti-trust laws.
 - (f) Provide for preference leasing to consumer owned utilities or other non-profit organizations in order to stimulate competition in the production of energy resources from Federal lands. (1975)
34. Opposes the increased import fees on foreign oil and suggest that consideration be given to the imposition of import quotas as an alternate means of achieving necessary reduction of oil imports, but strongly urges that any import quota system be accompanied by an allocation system, including rationing if necessary, which can assure adequate supplies of fuels for essential and necessary electric utility service and a comprehensive fuels price control program and specifically opposes the proposed decontrol of domestic old oil prices; endorses the concept of a strategic oil reserve designed to offset the effect of sudden interruptions in the supply of foreign oil; and supports a national program to conserve presently available fuels and to develop alternative and renewable resources. (1975)

35. Believes that development of Western coal on federal lands should be used to eliminate monopoly and, thus, keep energy prices as low as possible; sold at "reasonable prices", not at "all the market will bear"; and developed quickly and efficiently, taking all necessary precautions to protect the environment, in order to attain a high degree of energy independence. (1976)
36. Supports the concept of a national coal conversion program to promote national energy self-sufficiency and to conserve scarce domestic petroleum and natural gas, but believes that no electric utility should be required to convert an existing generating unit to burn coal or to construct a new generating unit with capacity to burn coal until there is a determination that (a) sufficient quantities of reasonably priced coal are available, (b) reliable and economic transport of the coal is possible, (c) environmental impact of the proposed use of coal is acceptable, (d) the conversion is economically feasible, and (e) proper construction and operating permits can be obtained. (1976)
37. Endorses the construction of coal slurry pipelines to share with railroads the burden of transporting vastly increased coal supplies, and urges the Congress to enact legislation authorizing slurry pipelines to exercise the power of eminent domain, but providing also that no pipeline should be built without consideration of the balance between the energy needs of the area to be served and the water needs of the producing area. (1977)
38. Questions the appropriateness of an oil tax as the most effective means of limiting the use of oil where coal effectively and economically can replace such uses, it does support the objective of increased coal use and judicious uses of oil available to the national energy store, believing that if an oil tax is imposed by law as proposed, there should be clearly defined exemptions for small steam electric, small diesel electric, combustion turbines and combined cycle units used for peaking and intermediate electric power generation, to the extent that such generation units designed specifically for burning oil or gas are operated up to 4600 hours per year; and urges Congress, as part of the national energy program effort to reduce dependence upon foreign oil and domestically refined petroleum products, and to make funds from the program available to public systems for the purpose of making studies and developing the utilization of ERDA-researched alternative fuels for use in combustion turbine generating equipment and other generating units which cannot use coal as ordinarily mined and processed for electric power generation. (1977)
39. Believes that while the federal Treasury should receive a fair return for development of federal coal resources, the new minimum royalty rate of 12 1/2 percent will allow energy companies holding existing leases to collect windfall profits at the expense of the American consumer while diminishing the opportunity to utilize this publicly owned resource as a yardstick for basic energy cost; and encourages the executive branch to do what it can by regulation to remedy the current situation, while also supporting legislation which would reduce the minimum royalty rate of 12 1/2 percent to a more reasonable figure. (1977)
40. Believes natural gas curtailment policy should be revised so as to be consistent with national energy policy goals; that curtailment policy should ensure full protection from curtailment to residential, small commercial, plant protection, feedstock, and any other legitimate gas uses for which other fuels cannot technically or practicably substitute; and that all industries, including electric utilities, which have alternate fuel capability should be accorded an equal priority classification. (1979)

41. Urges necessary amendments to the Mineral Leasing Act of 1920, the Surface Mining and Reclamation Control Act, and any other federal laws which may apply in order to provide for an expedited process in leasing federal tracts for coal mining. (1979)
42. Urges the Congress to repeal section 301(a) of the Powerplant and Industrial Fuel Use Act (P.L. 95-620). (1980)
43. Supports in principle the Department of Energy's commitment to coal conversion when practicable, and technically feasible, with a federal contribution to costs reflecting the national public benefit to be achieved; and further supports in principle the proposed federal commitment to add voluntary utility efforts to reduce oil and gas consumption, in light also of the national benefit gained from such projects; but urges strict adherence to practicable standards for determining the coal capability of plants mandated to convert; and urges further that any provisions for state approval of projects funded under Phase II should include authorization for publicly owned utilities unregulated by states to apply directly to the Secretary of Energy for grants for approved projects. (1980)
44. Supports federal legislation, which would provide forgivable loans for the exploration, development, and transportation of oil and gas by municipalities to be paid back if the development produces sufficient oil or gas to pay for the cost of exploration and development. (1980)
45. Supports legislation designed to encourage the development of municipal waste-to-energy technology; and urges the Congress to recognize and facilitate the active involvement of local public power systems in waste-to-energy projects by providing direct loans and grants to such entities and not to restrict such programs to loan and price guarantees or tax credits which are of limited practical benefit to such entities. (1980)
46. Opposes acceleration of the schedule for decontrol of "new" gas wellhead prices set by the Natural Gas Policy Act, and further opposes decontrol of wellhead prices of "old" gas from wells in production before April, 1977. (1981)
47. Believes the decision of the Court to apply Natural Gas Policy Act rates rather than cost of service rates to pipeline production of gas to be in error, and fundamentally at odds with national energy policy to reduce petroleum imports through the use of other fuels, including natural gas; and supports an amicus petition for review to the Supreme Court submitted by a coalition of publicly owned electric and gas distribution system. (1982)
48. Supports the enactment of legislation which would allow industrial gas users, including electric utilities, to purchase gas directly from sellers, and require the Federal Energy Regulatory Commission to order transportation of such gas by transporters (including interstate pipelines, intrastate pipelines, and local distributors), with reasonable postage-stamp compensation plus a limited incentive rate to be determined by the Commission for each transporter by rule or order, if:
 - a. The industrial purchaser has no contract obligations for the purchase of such transported volumes of gas, or (if the purchaser does have such obligations) will agree, as a condition on the granting of transportation, to honor all terms of its

- existing contracts, and to pay the cost of construction of any new facilities necessary to transport such gas;
 - b. The transporter has unused transmission capacity and would suffer no impairment of its ability to render adequate service to its customers;
 - c. No intrastate pipeline or local distributor would, by performing transportation required by such rule or order, become subject to the jurisdiction of the Commission except as necessary to fix appropriate compensation and the terms and conditions for such transportation. (1983)
49. Supports enactment of H.R. 1197 and S. 1159 which amend the Export Administration Act of 1979 to extend the provisions relating to the export of domestically produced crude oil. (1983)
50. Endorses H.R.4559, the Electric Consumers' Railroad Antimonopoly Act, and S. 2417, the Consumers Railroad Transportation Antimonopoly Act, as effective means for ensuring the benefits of competitive pricing in rail transportation, and also reaffirms its support for legislation to strengthen shipper protections from monopolistic pricing through effective regulation, where railroads continue to exercise monopoly power over the freight transportation of coal and other commodities. (1984)
51. Urges the Congress to repeal Title II of the Powerplant and Industrial Fuel Use Act to permit the use of natural gas in new utility and other industrial facilities. (1986)
52. Urges the Department of the Interior to establish a more equitable method of determining true "value" of federal coal for the purpose of setting royalties for the mining of such coal, and urges the Department to terminate the policy of adding federal and state taxes and fees to the cost of coal before royalty costs are determined. (1986)
53. Supports the enactment of S. 85 and H.R. 309 and expresses its appreciation to Senator Johnston and Representative Bryant for their efforts to accomplish the repeal of the end use restrictions on natural gas use. (1987)
54. Endorses H.R. 941 and S. 443, the Clayton Act Amendments of 1987, and H.R. 1393 and S. 676, the Consumer Rail Equity Act, as effective means for ensuring protection for captive shippers from railroad monopoly power. (1987)
55. Supports continued mutually beneficial trade in electricity between the United States and Canada in order for United States utilities to receive economically beneficial energy, to maximize the use of renewable resources and reduce use of imported fuel oil, and to lend support to the trade talks between the two neighboring nations. (1987)
56. Will support efforts in Congress to address the issue of discriminatory pricing during resolution of the captive shipper issue. (1988)
57. Shall:
- 1. Support the commercial development of multi-megawatt fuel cell power plants;
 - 2. Communicate public power's commitment to the fuel cell option to any party in a position to promote its commercial availability;

3. Continue to seek financial support to demonstrate fuel cell power plants from appropriate entities, including, but not limited to, manufacturers of fuel cell equipment, the Electric Power Research Institute, interested public power system, the Congress, and appropriate agencies of government; and
 4. Keep its membership informed on a timely basis of the opportunities to promote fuel cell development and the status of the technology's commercial readiness. (1988)
58. Supports legislation that will encourage environmentally acceptable ways to dispose of used oil, including combustion of such oil in utility boilers. APPA opposes the listing of used oil as a hazardous waste under the Resources Conservation and Recovery Act since such listing would frustrate, not enhance the collection and environmentally acceptable disposal of used oil. If burning of used oil is dependent on its lead content, sufficient flexibility should be provided so as not to discourage the collection and burning of used oil. (1992)
59. Endorses the use of alternative fuels as a means to improve air quality, reduce dependence on foreign oil and to encourage economic development activity through domestic production of such fuels, thus benefiting many of its member utilities. (1993)
60. Encourages its members to endorse the use of alternative fuels in their utility's vehicle fleets. (1993)
61. Urges Congress and the Executive Branch of the federal government to support the construction of an Alaskan Natural Gas Pipeline in order to bring this much needed supply of natural gas to the Lower 48 to help meet increasing demands. (2001)
62. The American Public Power Association (APPA) encourages local utilities and communities to consider the use of LNG for electricity generation where appropriate and further, endorses expediting siting and permitting processes, as well as intense community education, for the development of LNG facilities which would serve to enhance local utilities' fuel supply and reliability. In addition, APPA supports the establishment of financial incentives to parties to encourage the development of LNG facilities and the appropriate of funding to federal agencies, as appropriate, to provide adequate resources to support the development of additional needed LNG facilities. (2004)
63. That the American Public Power Association (APPA) urges Congress to authorize and require the Surface Transportation Board:
 - To establish trackage rights—within and for an appropriate distance outside terminals and interchanges—in order to encourage rail-to-rail competition, in cases where injury to competition can be shown or where service has been denied or is materially impaired;
 - To establish reciprocal switching within, and for an appropriate distance outside of, terminals in order to encourage rail-to-rail competition where injury to competition can be shown or where service has been denied or is materially impaired;
 - To require railroads that hold a customer captive to provide that customer a reasonable rate for moving its traffic to a competing railroad;
 - In reviewing and conditioning railroad mergers, to affirmatively promote rail-to-rail competition where practicable and when it is in the public

interest, to give strong weight to matching rates produced when actual rail-to-rail competition exists;

- To require carriers to respond in a timely manner to rate requests from a shipper, and to authorize the STB to prescribe a maximum rate for a movement to a captive shipper so that the rate prescription is available when the shipper has to move the traffic; and
- To set rail rates that provide a fair and reasonable return on investment determined by the actual costs of the railroad to provide the requested service to any shipper where meaningful competition to provide rail service does not exist. Any rates so set should be subject to judicial review to determine whether the costs upon which the rates are based are supported by evidence in the record of the proceeding before the STB.

That APPA urges that the statutory provisions that exempt railroads from the antitrust injunctive actions, as well as the judicially developed Keogh doctrine that limits antitrust damage remedies, should be repealed by Congress, and that the STB should be authorized, when petitioned, to remove provisions of agreements that prevent short-line railroads from delivering traffic to any major railroad. (2005)

64. That APPA continues its support of flexible-fuel PHEVs through the national “Plug-In Partners” grassroots campaign.

That APPA will support all reasonable programs to promote the development of PHEVs, and will continue to look for opportunities to work with the other “Plug-In Partners” to promote plug-in hybrids.

That APPA encourages Congress and the appropriate federal agencies to pursue the advanced battery technologies that will further enhance the viability of PHEVs. (2006)

65. That the American Public Power Association supports appropriate regulatory or legislative language clarifying that the use of tax-exempt financing to acquire interests in existing natural gas fields is appropriate without regard to certain management, operating, royalty or other contracts that are in place at the time of the acquisition. (2006)

66. That the American Public Power Association (APPA) urges Congress to fully fund the completion of the Yucca Mountain nuclear waste repository on an accelerated basis from the nuclear waste trust fund account; and

That the funds in the Nuclear Waste Fund should not be diverted to fund any other programs, including GNEP. (2006)

67. That the American Public Power Association calls on Congress to enact legislation that will provide incentives to utilities, regardless of ownership type and to other qualified entities for the purpose of the research, development, and implementation of wave and tidal in-stream energy technologies. (2007)

68. That the American Public Power Association (APPA) supports federal legislation to provide for financial programs and incentives to facilitate the supply-chain development of harvesting and processing field residue, agriculture and forest wastes, and dedicated crops such as switchgrass and prairie grasses into a form to be used to generate electricity. (2008)
69. That APPA encourages FERC to host a series of technical conferences to address issues such as:
- Operational and associated commercial procedures used by interstate pipelines and transmission/generation operators;
 - Current products and services offered by both pipeline/storage operators and generation/transmission operators;
 - Potential new transportation/storage/banking products and services that could be offered to accommodate electric generation purposes;
 - Financial requirements for the development of new pipeline and storage facilities;
 - Associated cost recovery, cost allocation, and rate design practices; and
 - The extent to which the current Standards of Conduct adversely impact communications between transportation/transmission and gas supply/power supply functions prior to and during emergencies.

That APPA suggests that FERC issue a formal Notice of Inquiry (NOI) that seeks comment from interested stakeholders on whether impediments exist that hinder better coordination among the industries and how the Commission can address them; and

That APPA strongly urges FERC to study the economic and electric reliability impacts that will result from the retiring of coal-fired generation; and

That APPA believes that FERC should view gas-electric coordination in regions with RTOs differently from regions with bilateral electricity markets; and

That APPA encourages FERC to facilitate discussions with state commissions and electricity and natural gas industry stakeholders to address potential reliability issues surrounding natural gas curtailment policies; and

That APPA urges the appropriate committees in Congress to examine these issues as well and to monitor FERC's activities in this area. (2012)

70. That the American Public Power Association (APPA) urges Congress to amend the Natural Gas Act to provide for refunds under Section 5 on a basis comparable to the refund provisions of Section 206 of the Federal Power Act, so that consumers have equal protection under both Acts from the assessment of unjust and unreasonable rates by regulated interstate transportation providers. (2013)
71. That APPA supports energy efficiency legislation, standards, and initiatives that are fuel neutral, are technologically feasible, and are economically justified. (2013)

GENERAL

98. Favors a federal investigation of the private power industry and its lobby, and amendments to the Federal Power Commission and Securities and Exchange Commission acts which will prevent expenses for such activities being allowed as operating charges. (1948)
99. Endorses the extension of social security to public employees on a purely voluntary or optional basis, by means of contractual agreements, but vigorously opposes any plan which would make this coverage mandatory on employees engaged in proprietary, as contrasted with strictly governmental activities. (1949)
100. Recommends approval of legislation to provide where feasible for voluntary direct contracts between the Social Security Administrator and the appropriate local government agency without channelling all such contracts through state governments. (1950)
101. Urges the passage of the provisions of Section 106 of H.R. 6000 providing for voluntary contracts for the inclusion of all local governmental employees under the old age and survivors insurance provisions of the federal social security program, whether such employees are covered by an existing retirement system or not. (1950)
102. Recommends that the Congress provide for continuation of the program of making loans in aid of local self-liquidating public works projects. (1953)
103. Condemns the campaign to prevent creation of public power entities by the private power company monopolists as bordering upon being corrupt and unfair practices, and that the right of the people in a proper and legal manner to place such matters upon the ballot must be jealously guarded and not prevented by the actions of the privately owned power monopolists. (1954)
104. Deplores the recommendation of the Hoover Commission relative to REA abolition and transfer of funds and that the association urges Congress to reject this recommendation. (1955)
105. Urges Congress to authorize a comprehensive study of the nation's long range electric power requirements. (1958)
106. Urges that the Administration and the Congress adopt an effective program for economic development of the tremendous resources of water and coal in Appalachia to permanently expand the economic base of that region through generation of low-cost electricity. (1964)
107. Supports federal programs of financial assistance for improved traffic control facilities and street lighting facilities, and urges that in awarding funds priority be given to public agencies who have initiated and seek to implement practical programs for upgrading street lighting. (1968)

108. Supports the efforts of the Municipal Electric Association of Ohio, Michigan, and Indiana in bringing a halt to the anticompetitive monopolistic activities of American Electric Power Co. and Ohio Power Co. in the state of Ohio. (1970)
109. Asks the Congress of the United States to investigate the efforts of American Electric Power Co. and its subsidiary, Appalachian Power Co., to subvert and influence bond referenda in the City of Danville, and to determine whether legislation is needed to protect municipal and other consumer owned electric systems from efforts of large private power corporations to interfere in the free exercise by the people of a community of their rights to obtain their own electric service. (1970)
110. Condemns activities of the North Central Electric Association, the purpose of which was to formulate methods of taking over or impeding the development of municipally owned electric systems. (1970)
111. Supports and commends the investigation announced by Senator Philip A. Hart, Chairman of the Senate Subcommittee on Antitrust and Monopoly, in which the subcommittee will study the monopolization of power supply facilities by private power companies, concentration of control over all energy resources by the top 20 oil companies, and the antitrust implications of the administration's plan to sell federally-owned uranium plants to private interests. (1970)
112. Urges its members, as public agencies, to undertake programs to encourage the efficient use of energy resources which would insure cost savings and adequate and reliable energy supply to consumers. (1971)
113. Supports legislation to make McCook, Nebraska, home and necessary environs of Senator George W. Norris, a national historic site to be administered by the Secretary of the Interior. (1975)
114. Opposes regressive legislation which attacks the rights of local citizenry to preserve to themselves a choice in the supply of vital services such as supply of electrical energy, and urges that citizens rights be reserved and false barriers, where they exist be removed and where they do not exist, not be created. (1975)
115. Expresses opposition to legislation which would require mandatory participation in the federal social security system. (1981)
116. Urges Congress to increase from \$50,000 to \$150,000 the amount of group term life insurance which may be provided by an employer and excluded from the gross income of an employee. (1982)
117. Supports public ownership of cable systems, where a community wishes to undertake this service; local rate regulation and franchising; and protection of public power's access to cable whether it be through franchising agreements or through public ownership. (1982)
118. Believes that there are serious questions regarding the integrity of the FERC and its ability to render independent judgments based on the laws to be applied, free from political considerations, and urges the Congress to conduct an investigation of the

Commission to determine the extent to which the will of Congress that FERC be an independent and quasi-judicial body has been subverted. (1983)

119. Opposes the termination of the Department of Energy as proposed by the President Reagan, but endorse improvement of its program and management to make the institution a productive part of efforts to solve our energy problems. (1983)
120. Urges enactment of a capital budget for the federal government, including one that recognizes the long-term, beneficial investments made in energy facilities. (1983)
121. Supports public power involvement in local economic development programs and encourages the Administration and Congress to recognize the important role that public power systems can play in determining the economic well-being of their respective communities, supports a consistent, long-term relationship between federal programs, communities and publicly owned utilities; initiatives to promote community economic development by public power utilities should be fully eligible for funding under UDAG and DCBG programs; future efforts in the Enterprise Zone concept should also address the need for efficient, reliable, and clean energy services and recognize the important role of local utilities in the affected communities. (1984)
122. Urges the Conference Committee to endorse the Senate provision of the "Deficit Reduction Act of 1984", (H.R. 4170), to exclude tax-exempt interest from being taken into account in determining the amount of social security benefits to be taxed. (1984)
123. Believes that the federal government, acting through the Power Marketing Administrations or the Tennessee Valley Authority, is not required to prepare an environmental impact statement (EIS) prior to entering into wheeling contracts over existing transmission facilities with non-federal entities and will oppose legal or legislative efforts designed to force a price with respect to such contracts. (1984)
124. Commends the state government of North Dakota for its opposition to the use of Pick-Sloan Power revenues to repay costs of municipal and industrial water development; and urges the Congress, in acting on Garrison and other legislation to reaffirm the principle embedded in the federal reclamation laws that municipal water costs not be imposed on power users. (1985)
125. Urges the Senate Commerce, Science, and Transportation Committee to exclude expressly electricity from the definition of product in product liability reform legislation. (1986)
126. Supports legislation expanding the applicability of the Product Liability Risk Retention Act of 1981 to include local governments within the category of entities eligible to take advantage of the provisions of the 1981 Act in order to establish either risk retention groups to self-insure or purchasing groups to cooperatively purchase liability insurance. (1986)
127. Urges Congress to enact legislation to limit PAC contributions and to explore other options to reform campaign financing practices and restore public trust and confidence in our national elective process. (1987)

128. Supports continued mutually beneficial trade in electricity between the United States and Canada in order for United States utilities to receive economically beneficial energy, to maximize the use of renewable resources and reduce use of imported fuel oil and to lend support to that trade talks between the two neighboring nations. (1987)

129. The members of American Public Power Association extend their heartfelt thanks to the organizations listed below, and pledge continued solidarity in efforts to defend the rights of state and local governments to use tax-exempt financing to provide adequate, basic public facilities and services to the communities of America.
- American Federation of State, County & Municipal Employees
American Public Gas Association
Citizen/Labor Energy Coalition
Consumer Energy Council Of America
Consumer Federation Of American
Environmental Action
Friends Of The Earth
Fund For Renewable Energy And The Environment
Government Finance Officers Association
National Association Of Counties
National Association Of State Utility Consumer Advocates
National Consumers League
National Governors' Association
National League of Cities
Public Citizen
Public Securities Association
United States Conference Of Mayors (1988)
130. Reaffirms its support for competition in the cable television industry and urges the Telecommunications Subcommittee to explore and as necessary consider remedies to impediments to competition within the cable industry. (1988)
131. The week of October 9-15 be designated Public Power Week in order to honor public power utilities, their employees, and their consumer-owners who work together to provide the best possible electric service. (1988)
132. We join hands with other public power organizations and utilities in a nationwide celebration and honor the benefits of public power in serving the public interest across the United States Of America. (1988)
133. Expresses its profound appreciation to Senator Magnuson for his determined, effective leadership and dedication to the public interest, and extends best wishes to the Senator. (1988)
134. Supports the expedited consideration by the FERC of the northeast U.S. Pipeline Projects and urges FERC to take steps to approve the settlement among the parties as quickly as possible with due consideration of the environmental impacts of the project. (1989)
135. Supports legislation establishing required time intervals for inspection of hazardous and toxic waste treatment, storage and disposal facilities to ensure that regulatory authorities have available timely information and compliance monitoring at such permitted facilities, and requiring that information on the results and findings of the inspections be made available to interested parties. (1989)

136. Supports the enactment of state and federal legislation providing waste management regulatory programs with authority to summarily revoke permits issued to hazardous and toxic waste treatment, storage and disposal facilities with appropriate guidelines and procedural safeguards in order to allow such regulator agencies to act quickly to prevent environmental damage as well as subsequent losses and liabilities. (1989)
137. Supports the establishment of a federal information clearinghouse concerning hazardous and toxic waste treatment, storage and disposal facilities in order to allow its members to make better, more informed decisions concerning the management of hazardous and toxic waste. (1989)
138. Supports legislation providing for the affirmative liability of the government, and defense to liability by waste generators in the case of governments neglect to properly permit, inspect, and oversee hazardous and toxic waste treatment, storage and disposal facilities so as to prevent damage to public health and the environment and resulting liabilities and losses. (1989)
139. APPA, on behalf of its coal-burning member utilities, supports the efforts of the American Coal Ash Association to urge Congress to dramatically expand the markets for coal combustion by-products by amending RCRA so as to:
 - (1) reaffirm the "non-hazardous" status of high-volume coal combustion by-products with respect to their utilization and disposal;
 - (2) exempt from federal regulation, and/or encourage state exemption from regulation, of coal combustion by-products which are consumed, stored for consumption, or used as the sole material in a depository;
 - (3) encourage the continuation of the long history of private sector cooperation with such progressive federal entities as the Corps of Engineers, Bureau of Reclamation, the Tennessee Valley Authority, and the Department of Energy and Commerce, in an advancement of coal combustion by-product use; and
 - (5) increase funding of the positive, non-coercive provisions of RCRA to promote the beneficial use of coal combustion by-products. (1989)
140. Commends Senator Roth and Representative Combest for their leadership on behalf of municipal finance and asks members of the Senate and House to join them in opposing additional restrictions of the use of tax-exempt financing. (1989)
141. Urges Congress to pass corrective legislation to alleviate the burdensome impact on employers of Section 89 of the Internal Revenue Code so as to advance, rather than inhibit, the goal of providing discriminatory employee benefit plans. (1989)
142. Supports enactment of legislation to establish staggered, five-year terms for (FERC) Commissioners to eliminate the simultaneous expiration of the terms of two or more sitting Commissioners, and urges the Commission to adopt filing fee schedules that reflect accurately the cost of the service provided by the Commission and do not create economic disincentives to mutually beneficial wholesale power transactions. Urges the Commission to make available proposed Commission orders and decisions prior to Commissions meetings, and urges the Commission to review its administrative procedures and policies to ensure fair and efficient execution of its responsibilities. (1989)

143. Supports the development of clean coal technologies and appropriate equitable incentives for research and development of such technologies, but oppose the prosed regulatory incentives for clean coal technology investments, and urges the Administration not to pursue these incentives either through a FERC rulemaking or in acid rain legislation, and urges the Congress to reject these regulatory incentives if they are proposed as statutory provisions. (1989)
144. Resolves that the week of October 8-14, 1989, be designated Public Power Week in order to honor public power utilities, their consumer-owners, and their employees, who work together to provide the best possible electric service for the progress of their communities and the nation, and to join hands with the other members of the public power family in a nationwide celebration of the public benefits of public power, and undertakes to assist its members with their local celebrations. (1989)
145. Commends the Department of Energy for initiating the process to develop an integrated comprehensive national energy strategy. (1990)
146. Supports the reauthorization of the Low Income Home Energy Assistance Program (LIHEAP), opposes any further reduction in appropriations for LIHEAP, and calls on Congress to set appropriate levels for this program at levels that will fully meet the needs of consumers throughout the nation. (1990)
147. Supports the enactment of legislation promoting the development of national home energy efficiency guidelines, and commends Senator Bumpers for introducing legislation, S. 1355, to initiate congressional consideration of a national home energy efficiency rating program. (1990)
148. Reaffirms its support for greater competition in the cable industry and urges Congress to enact legislation that:
- o promotes consumer protection by recognizing the option of public ownership and control;
 - o promotes public regulation of privately owned cable systems, including the ability to regulate regular cable rates, establish consumer service standards, at the local level, and revoke or deny franchise or renewals when a privately owned cable company fails to provide satisfactory serve;
 - o require that all programming transmitted through satellite facilities be made available to all cable operators or wireless cable services in a community on non-discriminatory terms and conditions; and
 - o stipulates that all cable wiring inside the local residence and underground drop cable used in connecting with cable service, whether installed in past or future, is the property of the residential owner and is available for use at the discretion of that person for connection with any cable service of their choice. (1990)
149. All public power organizations:

- o work with the National Rural Electric Cooperative Association (NRECA) and the Edison Electric Institute (EEI) to develop educational materials to inform consumers about the causes of perceived electric utility quality of service problems and their potential solutions;
 - o work with the Electric Power Research Institute (EPRI), the Institute of Electrical and Electronic Engineers (IEEE), and other organization to develop electric utility quality of service guidelines and standards; and
 - o work with appliance and electrical equipment manufacturers, their trade associations, consumer organizations, and other interested parties to develop manufacturing standards for appliances and electrical equipment which call for the inclusion of electronic circuitry in these projects and other means to mitigate appliance and electrical equipment performance problems encountered by consumers. (1990)
150. The week of October 7-13, 1990 be designated Public Power Week in order to honor public power utilities and their consumer-owners, policy makers, and employees who work together in a nationwide celebration of the public benefits of public power, and undertakes to assist its members with their local celebrations; and joins hands with other members of the public power family in a nationwide celebration of the public benefits of public power, and undertakes to assist its members with their local celebration. (1990)
151. Supports a national strategy to address and resolve the questions regarding the health effects, if any, of electric and magnetic fields (EMF), consisting of the following elements:
- 1. An aggressive Congressional campaign to ensure sufficient federal funds to (a) launch and successfully complete an EMF national research program and (b) continue support for existing federal EMF programs that meet objectives set for them by Congress and the scientific community;
 - 2. The EMF national research program shall be equally funded through federal appropriations and voluntary contributions from non-federal entities such as electric utilities, manufacturers of appliances and electrical equipment, computer manufacturers, labor unions, consumer groups and other organizations, with funds administered by an independent research institution;
 - 3. A continued and more aggressive program to collect and disseminate information on EMF to all APPA members; and
 - 4. The preparation of materials to assist APPA members in educating their employees and their consumers regarding EMF, including the development of model policies and protocols for responding to customer requests for EMF measurements. (1991)
152. Urges the APPA EMF Task Force to consider other activities that might be incorporated in this national EMF strategy and to report on the results of its deliberations at the next Legislative and Resolutions Committee meeting. (1991)

153. While supporting vigorous and effective safety programs and practices within the electric utility industry and related construction activities, opposes the creation of bureaucratic and administratively burdensome procedures. (1991)
154. Urges Congress, if it proceeds with legislation amending the Occupational Safety and Health Act (OSHA), to address construction safety, to minimize the record keeping and other administrative burdens imposed on those who contract for construction services and those who perform under construction contracts and to recognize explicitly, through exemptions or otherwise, the needs and demands of the electric utility industry in its mission to ensure the availability of this essential service to the American consumer. (1991)
155. Urges the Federal Energy Regulatory Commission (FERC) to recognize that mergers between utility holding companies which might not propose combinations of their operating companies are intended to achieve benefits akin to the merger of operating companies; and, without FERC approval, would constitute a combination "by any means whatsoever, directly or indirectly" within the meaning of Section 203 of the Federal Power Act. (1991)
156. That the FERC take all steps necessary to examine proposed mergers of utility holding companies at the time such mergers are proposed, even if a merger of the operating companies is not proposed, to determine whether the intended consolidation or changes in operation or coordination of the operating companies will tend to reduce competition or otherwise adversely affect the public interest. (1991)
157. Urges Congress and the appropriate regulatory agencies to exempt from any spectrum reallocation or reassignment that spectrum assigned to federal and non-federal utilities for their telecommunications systems. (1991)
158. That the American Public Power Association:
 - o supports GSA's 1988 determination that the PMA's have "unique telecommunications mission requirements for the control, monitoring, operation and maintenance of their electric power transmission systems to ensure safe, reliable and efficient operation;"
 - o opposes any action to require the PMA's to use FTS 2000 for power system control or transfer power system control telecommunications systems out of PMA control; and
 - o supports the directive of the Senate Appropriations Committee that neither the PMA's nor the DOE take any action which would reduce the reliability of or forestall the planned replacement, expansion or improvement of PMA telecommunications systems. (1991)
159. Opposes any effort to reallocate or reassign radio spectrum assigned to federal and non-federal utilities unless:
 - o these utilities are assigned replacement spectrum of equal or greater reliability;
 - o the costs of acquiring new equipment and any other costs associated with changing spectrum are not borne by the ratepayers of the utilities forced to move;

- o these utilities are allowed to continue to control and operate their own telecommunications equipment rather than relying on private contractors; and
 - o a grace period is provided to utilities forced to vacate their current spectrum assignments to allow adequate time for such activities as: planning, design, and testing of new telecommunications systems; equipment acquisition and modification; development of new equipment; and acquisition of any additional property rights that are necessary. (1991)
160. Believes federal and non-federal utilities should be represented adequately on any advisory group charged with the responsibility of recommending or determining which, if any, frequencies should be reallocated or reassigned. (1991)
 161. Supports the introduction and enactment of legislation that would pursue strategies to increase the supply and retail availability of compact fluorescent light bulbs. (1991)
 162. Supports the enactment of legislation that results in a more aggressive Federal appliance efficiency standards development program that improves these standards and gives states the option of developing their own efficiency appliance standards without requiring a Federal waiver provided the state standards are more beneficial. (1991)
 163. Recommends that appropriate legislation be introduced in Congress to provide guidance to the Federal Energy Regulatory Commission (FERC) and the Securities Exchange Commission (SEC) on the meaning of the "public interest" as that term is used in the Public Utility Holding Company Act (PUHCA) and Federal Power Act with regard to the use of publicly created transmission rights-of-way and fairly priced non-discriminatory access to facilities that are part of a regional interconnected bulk power transmission grid. (1991)
 164. Supports passage of legislation to increase Corporate Average Fuel Economy (CAFE) standards and the subsequent effect these measures would have on the production and sales of electric cars and will work with the sponsors of S. 279 and H.R. 612 to achieve passage of such legislation. (1991)
 165. Calls on the Congress to adequately fund the Low Income Home Energy Assistance Program (LIHEAP), to continue to make LIHEAP available to all eligible consumers throughout the nation, and to reject proposals to convert LIHEAP into a limited block grant program. (1991)
 166. Supports the enactment of legislation that authorizes the Occupational Safety and Health Administration (OSHA) to establish and maintain a nationwide data base of Material Safety Data Sheets (MSDS) which would be available to agencies and businesses for compliance with the Hazard Communication Standard (HCS) and that the MSDS be written clearly at a level which a layperson can understand that will include the health, flammability, and reactivity ratings for use in the National Fire Protection Agency (NFPA) hazard codes along with the Environmental Protection Agency's (EPA) Physical and Health Hazard Classification (P&HHC) identification. (1991)

167. Supports the prompt development of a national energy policy that includes the following balanced consumer provisions for end-use efficiency, renewable resources, advanced generating technologies, and efficiency of utility supply. Combined, these policies will increase energy and economic efficiency and improve our national energy security with limited impact on the environment.
- o **Strategy Development.** To ensure a balanced and unbiased approach, enhanced energy policy discussions and informational briefings between the Department of Energy (DOE), the American Public Power Association (APPA), public power utilities, and the Office of Management and Budget (OMB) are necessary.
 - o **End-Use Efficiency.** In order to ensure the wise use of existing resources, any national energy plan should include:
 1. national labelling requirements and reasonable standards for lighting, windows and appliances that are periodically revised to recognize technological advancements;
 2. improved distribution and availability of compact fluorescent light bulbs and other efficiency equipment;
 3. facilitation of the use of conservation and energy efficiency equipment by providing that utility rebates are not considered taxable income;
 4. sufficient and stable funding of federal programs designed to offset the cost of energy consumption and energy efficiency investments for low-income households;
 5. an appropriate and achievable increase in the Corporate Average Fuel Economy (CAFE) standard for automobiles and the "crediting" of electric vehicles in the calculation of CAFE standards;
 6. federal research for the development of electric vehicles, including development of cost-effective batteries;
 7. technical assistance for the development and use of integrated resource planning by electric utilities;
 8. national home energy efficiency guidelines for new home construction that can be used in the development of climate- and locale-specific standards; and
 9. federal energy efficiency standards for mobile, manufactured, and public housing.
 - o **Renewable Technologies.** Utilization of renewable resources reduces dependence on unstable foreign energy supplies and emissions of pollutants. Steps must be taken to fully utilize existing renewable resources and facilitate the development and use of additional renewable resources. Such steps should include:
 1. preservation of existing policies governing the sale of federal hydropower and proper maintenance and cost-effective upgrading of existing federal hydroelectric facilities to maintain the efficient use of this precious resource;

2. prevention of the decentralization of the Federal Energy Regulatory Commission (FERC) hydroelectric licensing process;
 3. an expanded partnership program between federal and non-federal participants for the demonstration of emerging renewable technologies;
 4. reasonable incentives, equally afforded to all utilities, to defray the cost of installing renewable technologies; and
 5. expanded federal research and development in renewable technologies.
- o **Advanced Generating Technologies.** Advanced technologies and transportation policies are needed to promote the efficient use of traditional fuels, including coal, gas, and uranium. Specific program needs include:
 1. federal assistance for the development and demonstration of utility-scale fuel cells;
 2. continued federal cost-sharing of advanced clean coal technologies;
 3. a rational federal resolution of the so-called WEPCO controversy that allows cost-effective, and frequently environmentally beneficial, modifications and refurbishments of existing generating facilities;
 4. Federal eminent domain authority for the construction of coal slurry pipelines;
 5. the development and licensing of standardized, passively safe nuclear generators; and
 6. the timely development of an acceptable nuclear waste program.
 - o **Efficient Use of Utility Facilities.** In order to avoid unnecessary duplication of existing and future utility facilities and to maintain competition and diversity in the electric utility industry, a national energy policy should:
 1. establish policies and procedures to ensure access to existing surplus transmission capacity is made available to all utilities under just, reasonable and non-discriminatory terms and conditions and provide for the construction of future transmission capacity on a jointly planned basis; and
 2. remove the discriminatory restrictions placed on private use of public power facilities financed with tax-exempt bonds in order to promote the efficient sizing and use of these facilities.
 - o **Effective Regulation.** To protect the interest of consumers, effective regulation of electric utilities by independent regulatory commissions such as the Federal Energy Regulatory Commission and the Securities and Exchange Commission, must be preserved. (1991)
168. Opposes the forced relocation of existing fixed microwave users from the 2 GHz band. In no event should there be a forced relocation unless reliability requirements of

existing users can be fully accommodated in another band, public safety will not be jeopardized, and existing users will be fully compensated by new licensees. (1992)

169. Urges the FCC to focus its current inquiry on four issues: (1) whether the case has been made that relocation of existing users is in the public interest taking into consideration safety, reliability and economic consequences for existing users; (2) the existence and availability of alternative spectrum that meets the needs of existing users; (3) the amount of time that would be required for existing users to construct replacement facilities; and (4) the method by which new licensees would provide full compensation for all relocation expenses incurred by existing licensees. (1992)
170. Urges Congress to hold oversight hearings to review the potential disruption of the existing fixed microwave communications infrastructure that would occur from a forced relocation, the public health and safety consequences resulting from such a relocation, and the manner in which the costs of relocation for existing users would be recovered from new licensees. (1992)
171. Urges the House and Senate conferees on the comprehensive national energy policy act to resolve their differences on the following issues as set forth below:
 1. Transmission access: Support the House transmission access provisions and support an amendment providing for FERC-sanctioned regional transmission associations consistent with the 1992 APPA resolution entitled "Alternative Transmission Access."
 2. Public Utility Holding Company Act: Accept the House provisions on self-dealing and to reject any compromise that amends PUHCA if strong and effective transmission access provisions are not also included.
 3. Nuclear power: Support the Senate provisions on uranium enrichment the House provisions on expediting the development of a nuclear waste repository.
 4. Taxes: Support a modified House energy conservation rebate provision that covers all electric utilities; provide incentives for not-for-profit utility development of renewable energy comparable to the tax incentives provided to for-profit developers; and accept the bank deductibility provisions of the House bill.
 5. Electric and Magnetic Fields: Support the House provision on EMF.
 6. Hydropower: Adopt the hydropower provisions of the Senate bill and delete the hydropower provisions in the House bill.
 7. Power Marketing Administration integrated resource planning: Delete the House WAPA IRP provisions as unnecessary and oppose the inclusion on externalities in integrated resource planning requirements. (1992)
172. Supports switching from fossil-fuel to electricity end uses where efficient -- the ecowatts principle -- and urges that it be pursued as one element in a three-pronged energy strategy. In addition, the strategy should encompass continued cost-effective

demand side management activities to increase efficiencies in the end use of electricity, and continued research and development of technologies that focus on improving efficiencies and reducing environmental consequences at both the point of electricity generation and use. (1993)

173. Calls on the Administration and Congress to continue and expand funding for LIHEAP to include all eligible consumers. (1993)
174. Will assist its members in developing voluntary local policies and programs both to advance the goals of LIHEAP and to provide other increased assistance to their low and fixed income customers in reducing their electricity bills. APPA's effort will include the dissemination of relevant information and model programs for members' consideration and recommendations for working with other entities, including local and state governments, to meet these purposes. (1993)
175. Urges Congress to act expeditiously on all Presidential wilderness recommendations so as not to preclude nonwilderness activities that benefit society as a whole on lands that lack wilderness characteristics. (1993)
176. Calls on the Congress and Department of Energy to ensure that the U.S. Department of Energy continues its ongoing electric and magnetic fields research efforts and that the federal portion of the National Electric and Magnetic Fields Research and Public Information Dissemination Program be funded through additional, new appropriations in order to expand and accelerate EMF research, including research on possible health effects to be undertaken under this program by the National Institute of Environmental Health Sciences.
177. That:
 1. APPA reaffirms its support for an expanded and accelerated national EMF research and public information program to be funded jointly by the federal government and non-federal entities, and that working with APPA, public power systems will provide their appropriate share of the electric utility industry's proportion of the total non-federal funding for this program.
 - 2) To help meet this commitment, APPA will establish a procedure under its auspices to facilitate contributions by its members to the non-federal funding required by the Act and strongly urges every APPA member to make such a contribution. (1993)
178. Supports the research, development, and commercialization of renewable energy technologies and programs created to promote the future use of these technologies. Specifically, APPA is strongly committed to the successful implementation of the Renewable Energy Production Incentive Program and will work with Congress and the Department of Energy to obtain secure, long-term funding of the program for qualified public power programs. (1993)
179. Urges the Department of Energy to request, and Congress to appropriate adequate, secure, and long-term funding of the Production Incentive program. APPA also urges the Department of Energy to establish rules, procedures, and policies that will promote utility confidence in programmatic funding stability. (1993)

180. That with respect to procedural amendments and refinements of the Endangered Species Act, APPA urges Congress to consider the following specific modifications:

1. Listing and Delisting

- Peer Review: After a species is proposed to be listed, if a written request containing an adequate basis for questioning the proposed listing is received by the Secretary, then the proposed listing should be reviewed by a panel of independent and qualified scientists. The decision of the review groups shall be binding, based on proved scientific evidence.
- Judicial Review: Decisions to list, as well as decisions not to list, should be subject to judicial review.
- Delisting: Measurable objective criteria for delisting should be required to be included in the recovery plan.
- Critical Habitat: Critical habitat should not be designated prior to the development of a recovery plan; the Secretary must measure the impacts, including the economic implications, of both designating and specifying a particular area (or areas in the case of migratory species) as critical habitat; all reasonable alternative critical habitats considered by the Secretary must be described and the economic impacts of each alternative, including the one selected, must be described. Critical habitat designation should continue to be subject to compliance with the National Environmental Policy Act.

2. Recovery Plans

- Candidate Species: Recovery plans should require federal agencies, to the extent practicable, to identify measures that benefit listed species which also benefit candidate species.
- Inventory: Federal resource management agencies should be directed to conduct inventories of all listed and candidate species on federally managed lands and waters and identify measures for recovery of listed species that also minimize adverse impacts to candidate species.
- Reconsideration: The Secretary should be authorized, but not required, to revise existing recovery plans as necessary to meet new standards.
- Priority: In addition to giving priority to species most likely to benefit from a recovery plan, as required under the Act, the Secretary should also give priority to multi-species least cost recovery plans, including resolution of conflicts among species.
- Recovery Team: The Secretary should develop and implement plans with an impartial multi-disciplinary team working in cooperation with relevant state and local agencies and other affected parties.

- Assessments: The Act should require the development of recovery plans that would achieve biological objectives, while minimizing social/economic impacts of recovering the species.
- Public Hearings: The Secretary should take all reasonable steps to inform the affected public, including the publication of notice in the local media and the holding of public hearings in the areas affected by the plan, prior to finalizing the recovery plan.

3. Cooperation with States

- Cooperative Management Agreement: The plan should allow the incorporation of cooperative management agreement into the recovery plan, and where a CMA has been so incorporated deference should be given to the CMA.

4. Consultation

- Responsibilities of Other Agencies: The Secretary should be required to consider the impact on listed species of multiple agency actions together, and the Secretary should consolidate requests for consultations from various federal agencies whose proposed actions may affect endangered or threatened species.
- Customer Participation: The Act should provide for participation in federal consultations by customers of federal agencies involved in consultations.
- Consultation: When a listing decision is made, the Secretary should establish and notify the public of a procedure where a person can receive a "takings assessment" to determine whether particular activities constitute a taking.
- Compliance with Approved Plan: Section 7 consultations should be designed to ensure compliance with recovery plan.

5. Enforcement

- Standing: The Act should provide for standing and intervention by citizens or organizations suffering economic injury as a result of Critical Habitat and Recovery Plan designations taken under the Act.
- Emergency Exemptions: An exemption from enforcement actions should be provided in cases where there is a substantial and imminent threat to public health and safety. (1993)

181. Reaffirms its position that final Congressional action on the reauthorization of the Endangered Species Act should await the results of the review of the National Academy of Science. (1993)

182. Supports the National Science Bowl and encourages its members in conjunction with the Department of Energy and federal power marketing administrations, to sponsor this important program. (1993)

183. Supports the development of a vigorous electric bulk power market and opposes stranded generation investment charges including in particular as an addition to transmission charges or as an exit fee because they are inconsistent with such a market and would have serious anti-competitive effect. (1994)
184. Opposes the imposition by the Federal Energy Regulatory Commission of stranded investment charges for new electric utility wholesale customers. (1994)
185. Supports practical, targeted changes to improve secondary market disclosure such as those recommended in the Joint Statement so that investors will receive necessary, timely and appropriate information. The Joint Statement represents a consensus by organizations representing market participants including APPA and is designed to improve municipal securities disclosure without imposing broad mandates that have little benefit and high costs. APPA continues to oppose costly regulatory actions or legislation that are not justified by added investor protection, or that impose undue burdens on issuers. (1994)
186. Will continue to work with market participants and the Securities and Exchange Commission to improve secondary market disclosure. (1994)
187. Supports the development of a National Information Infrastructure capable of delivering advanced, high-speed telecommunications services to every home, office, business and industry in every community. (1994)
188. Urges the Congress and the Administration to develop and implement policies and legislation consistent with the following objectives:
 - o Electric utilities should be neither precluded from nor mandated to provide broadband communications networks and services;
 - o The option of public ownership of broadband communications networks and services must be preserved, and such publicly owned systems must have access to traditional methods of financing, including municipal bond financing;
 - o As with publicly owned electric utilities, the regulation of local publicly owned communications networks should occur at the local level; and
 - o Programs that provide federal funds for the demonstration of construction and operation of information infrastructure or provision of services over such infrastructure must be available equally to publicly as well as privately owned systems. (1994)
189. Urges Congress to reauthorize the Endangered Species Act during the first 100 days of the 104th Congress and to incorporate changes in the Act consistent with the policies endorsed by APPA in 1993. (1995)
190. That to encourage reauthorization of the Endangered Species Act in 1995, APPA urges Congress to prohibit expenditure of funds for additional listings of threatened or endangered species after the beginning of Fiscal Year 1996

(October 1, 1995) and the limitation on the use of such funds should continue until the Act is reauthorized. (1995)

191. Supports the reauthorization of the Clean Water Act, opposes amendments to the Act that would eliminate either the section 316 thermal variance for the states or the section 301(g) chlorine variance, and supports amendments that would restore the appropriate balance necessary to retain multiple benefits of hydropower facilities. (1995)
192. Urges the U.S. EPA to recognize that the costs of installing continuous emissions monitors (or their equivalent) on generators of 25 MW or less, exempted by Congress from the requirements of the acid rain control provisions of the Clean Air Act, and new units of the same size burning low sulfur fuel, would not yield emissions reductions or other environmental benefits but would be so expensive as to jeopardize the continued operation of these small generators. (1995)
193. Calls on EPA to provide an explicit exemption from its enhanced emissions monitoring rules for such small generators. (1995)
194. Supports the following principles on the visibility issue:
 1. Support the national visibility goal established in the Clean Air Act and its requirements for the Administrator and the states to implement regulations to make reasonable progress toward achieving that goal.
 2. Support a process that establishes a rate of reasonable progress that, if necessary, duly considers visibility improvements with the energy security and economic needs of each state, as well as the transport region as a whole.
 3. Include in any emissions management strategy all sources of emissions, including those emissions originating outside the region, relative to the amount of emissions they produce. All significant sources/source categories must be held responsible for their fair share of emissions reduction.
 4. Emissions originating outside the region must be considered.
 5. If scientific evidence and expected visibility benefits of "clean air corridors" warrant their establishment, the ability to site new sources of emissions—industrial, energy or other—must be preserved. Clean Air corridors are areas from which clean air flows to Class I areas.
 6. Voluntary emission reduction programs should be given high priority by decisionmaking bodies. All emission reductions achieved through voluntary or other regulatory programs should be given full credit if mandatory programs are needed in the future.

If further emission reductions are required over the results of implementing the CAAA, source operators should be given maximum flexibility to achieve the desired emissions reductions using the most cost-effective approach, i.e., using a market-based emission trading system, including inter-pollutant trading. (1995)

195. Calls on Congress to exercise vigorous oversight of costs charged by the Bureau of Reclamation to hydropower operations, and to direct the Bureau to implement corrective actions as necessary. At a minimum, the Bureau should be required to:
- Develop a 10-year planning process with input and review by federal water and power contractors and subcontractors that allows for public scrutiny; and
 - Establish a procedure for federal water and power contractor oversight to review and comment on engineering, operating and auditing criteria and that would serve as a forum for the resolution of conflicts between the Bureau and the PMAs and their preference customers. (1995)
196. That Congress should rectify the injustice of the huge cost increases for the Boulder Canyon Visitors Facilities by directing that all costs above the authorized \$32 million be non-reimbursable and non-returnable. (1995)
197. Calls on the Base Realignment and Closure Commission to identify all local impacts of proposed closings or reductions in operations at defense facilities, including impacts on electric utilities that provide service to the installations under study, and to take these impacts into consideration before making its recommendations to the President and the Congress. (1995)
198. Calls on Congress to direct the Defense Department to complete at federal expense all necessary changes in electric transmission and distribution systems serving defense installations that are slated to be closed so that these facilities may be integrated into the transmission and distribution system of the electric utility that takes over responsibility for serving the installation. (1995)
199. Opposes the proposed federal takeover of the Hetch Hetchy facility. (1995)
200. Before any increase in payments from San Francisco is considered or demanded, there be a study of how existing payments compare to those made by other similarly situated entities (including in particular hydropower licensees) and that consideration be given to the broad-based public benefits that have been provided and will continue to be provided by San Francisco. (1995)
201. Supports the adoption of reasonable regulatory reforms that will achieve the nation's environmental goals more efficiently. The reforms should include the following principles and goals:
- Continue to protect the environment and human health in the most efficient and cost-effective manner;
 - Minimize the disruption of essential agency activities and promote efficient operation of those agencies;

- Use sound science to clearly define environmental problems and develop effective solutions that maximize efficient use of the nation's finite resources;
 - Balance the risks with the benefits to be achieved;
 - Provide an orderly transition from existing statutory and regulatory frameworks to avoid jeopardizing existing environmental protection;
 - Avoid excessive and nonproductive litigation over agency compliance with the requisite regulatory reform process;
 - Eliminate overlapping and conflicting rules wherever possible;
 - Use pilot programs to test and improve innovative regulatory reforms; and
 - Use market-based incentives and increased corporate responsibilities for achieving the maximum environmental protection for resources expended. (1995)
202. Will urge Congress to revisit the Clean Air Act Amendments of 1990, specifically those areas that have and will force public power generators enact high-cost compliance measures unless clearly justified by scientific evidence and by a cost/benefit analysis. (1995)
203. Will encourage Congress and the EPA to delay or suspend development of major new regulations to allow some real assessment of the air quality improvements that are now being realized from the enforcement of first phases of the Amendments. (1995)
204. Will communicate the concerns of public power generators to Congress and support efforts by these generators to revisit specific sections of the Amendments to enact meaningful reform, including but not limited to; (1) opt-in regulations; (2) short-term ambient air quality standards for sulfur dioxide; (3) reduction of ozone ambient air quality standards; (4) Title V air emission permitting (including enhanced monitoring requirements); (5) ozone transport region issues; (6) national emission standards for hazardous air pollutant sources; and (7) air quality non-attainment issues. (1995)
205. Go on record in a variety of forums, including but not limited to the United States Congress, state legislatures, FERC and the SEC, as strongly opposed to consolidation of investor-owned electric utilities and independent power producers. (1995)
206. Work with its members in their efforts to defeat mergers or to impose meaningful conditions on such mergers, conditions such as vertical and horizontal divestiture, where appropriate, and strict prohibitions on affiliate transactions that go beyond the filing of open access transmission tariffs, in order to: (a) eliminate transmission and generation market power; (b) ensure development of vigorously competitive wholesale electric markets; and (c)

protect the viability of large and small public power systems, thereby protecting a vibrant, pro-competitive diversity in the electric utility industry. (1995)

207. The Members of the American Public Power Association hereby endorse the recommendation of the APPA Board of Directors for an amendment to APPA's By-Laws to provide for a ten percent surcharge on all APPA domestic utility member dues, which shall not be limited by any other provision of the APPA dues formula. That funds raised shall be used to address the current changes in the electric utility industry and the historic and future role public power can play in this new environment, the development of information materials and dissemination of information to audiences at the local, state and federal levels, and may include such activities as economic studies illustrating public power's record of efficiency and low rates, analysis and dissemination of information regarding tax benefits, refutation of arguments that public power enjoys an unfair competitive advantage, commissioning public opinion polls and focus groups, strengthening existing coalitions and establishing new coalitions at the national and local levels, and pursuing such other activities as may be appropriate to underscore the importance of public power for all electric consumers. The APPA President is authorized to appoint a representative steering committee from the APPA membership to provide advice and guidance to the staff in the design and execution of strategies and tasks associated with this undertaking, and that staff shall provide separate, periodic reports to the steering committee of all program expenditures. (1995)
208. That the APPA urges Congress, when considering issues related to competition and restructuring in the electric utility industry, to develop and implement policies and legislation consistent with principles such as consumer protection, tougher merger standards, and PUHCA preservation. (1996)
209. That the APPA supports state and local decision making in customer choice and stranded cost recovery and the creation of Independent System Operators. APPA does not support a federally mandated date for customer choice. (1996)
210. That the APPA urges the Federal Communications Commission, in implementing the Telecommunications Act of 1996, to resolve all questions of interpretation in ways that would permit and encourage public power systems to become fully engaged in providing telecommunications services. (1996)
211. That APPA supports legislation that would protect the assets of IRC Section 457 plans from forfeiture risk. (1996)
212. That the APPA opposes the application of stranded generation investment charges as an addition to transmission charges or as an exit fee on wholesale customers. (1996)

213. That the members of the APPA urge the APPA President to appoint a task force of managers, financial officers, lawyers, engineers and others to identify opportunities for public power through the formation of a national power pooling and marketing association. (1996)
214. That APPA affirms its support for universal service in order that all persons, regardless of economic status, have access to safe, reliable, and affordable electricity. (1997)
215. That with respect to amendment and refinements to the Endangered Species Act, APPA urges Congress to consider the following: good science, citizen participation, equal access to the courts, cost effective recovery plans, incentives to conserve habitat, and shared burdens. (1997)
216. That the APPA urges Congress in any effort to restructure the electric utility industry, to take aggressive steps to mitigate market power in order to promote effective competition and protect consumers. (1997)
217. That the APPA supports effective Independent System Operators and FERC-approved Regional Transmission Groups that are responsible for the coordination of power supply operations and planning as necessary for the purpose of maintaining and improving reliability. (1997)
218. Urges the Federal Communications Commission to modify its interpretation of the definition of “any entity” under Section 253 of the Telecommunications Act of 1996 to include local governments. (1998)
219. Opposes any effort to deny publicly owned electric utilities from receiving federal disaster relief. (1998)
220. Expresses their sincere appreciation and gratitude to the Governors’ Public Power Alliance for their leadership on behalf of public power systems throughout the country. (1998)
221. Opposes the packaging together of military department utility infrastructure conveyances in a manner that would prevent the local utility, that had previously provided power to the facility, from participating in the competitive bid process. (1998)
222. Urges Congress and the Administration to encourage state and local authorities to require equivalent disclosure of information by all market participants that possess any information that would be beneficial to consumers regarding the provision of electrical service or competition in the industry in general. (1998)
223. APPA believes that mandatory competitive metering and billing poses significant risks to consumers and that local distribution systems should continue to perform these services. (1998)
224. Changes to the electric utility industry to restructure and deregulate electric power generation should be considered separate and apart from those “wires”

services fundamental to the transmission and distribution of electric power. The APPA vigorously opposes any effort by any state or federal authority to force any electric distribution enterprise out of the business of serving its customers. (1999)

225. APPA urges Congress, in connection with any federal initiative for restructuring the electric utility industry or for guiding or coordinating such efforts by the States, to make provision for the preservation of elements of local control over the activities of publicly-owned utilities, including but not limited to:
- Safeguarding local control over the timing for transition to retail competition in areas served by such utilities;
 - Maintaining the right of local governing bodies to set nondiscriminatory rates charged by their publicly owned utilities within their service areas;
 - Preserving the power of these governing bodies to establish levels of stranded investment for locally owned electric utilities and measures for the recoupment of that investment, as well as standards for service quality and protection of customer rights. (1999)
226. APPA urges Congress to make provision in any electric utility industry restructuring program for retention by cities and other local governing bodies of traditional local control powers over these entities' publicly-owned utilities sufficient to prevent inappropriate structural unbundling of local electric utility functions, divestiture of utility assets, and erosion of local control over public rights of way; and to prevent loss of local control over utility metering and billing functions and inequitable restrictions on the marketing, promotion, and sale of services of publicly-owned utilities that choose to participate in retail competition. (1999)
227. APPA expresses its support for the USEPA/USDOE Energy Star Program. APPA believes this label will help consumers make informed product choices that will result in pocket book savings and to help promote the use of leading edge energy-efficient technology. (1999)
228. APPA strongly urges its membership to form partnerships with USDOE and USEPA in promoting the labeling of energy-efficient technologies under the Energy Star program. (1999)
229. Supports the adoption of comprehensive campaign finance reform legislation in the 106th Congress, and commends Senators John McCain and Russell Feingold and Representatives Christopher Shays and Martin Meehan for their courageous bipartisan leadership on this important issue. (1999)
230. Supports local public power communities in their claims under the Public Claims Act, and urges the Department of Defense to carefully review and respond to each claim. (2000)
231. APPA calls on Congress to fund the Low-Income Home Energy Assistance Program at the \$2 billion level authorized by Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (PL 97-35 as amended)

APPA supports continuation of and adequate funding for the Emergency Contingency Fund and the advance funding mechanism that allows states to plan their disbursements. (2001)

- 232. All military departments should be required to comply with state utilities law at all United States installations when privatizing military owned utility distribution systems. Where an entity is currently providing electric service to a military installation, that entity should not be precluded from competing in that particular DOD electric utility privatization/procurement action. (2000)
- 233. APPA will support its members in their efforts to be good community citizens. APPA will recognize those systems that have demonstrated a responsible record of excellent labor practices, workplace safety, environmental stewardship, and community relations. (2000)
- 234. Will work with other organizations representing the interests for state and local governments to protect and preserve the rights of communities to provide the services demanded from them by their citizens. APPA will vigorously oppose any effort by any state or federal authority that would limit public power systems' ability to reinvent themselves, to carry out good community citizenship activities, and to deliver new services people value and want from their public power system. Specifically, we would oppose the enactment of state or federal legislation that would restrict public power systems from financing local infrastructure facilities with municipal bonds, or attempt to impose federal taxes on revenues from their local, not-for-profit activities. (2000)
- 235. APPA recognizes the U.S. is faced with mounting energy problems on a national scale, and urges Congress to enact legislation that removes barriers and provides assistance, including financial assistance, to communities interested in pursuing new options for the delivery of electricity in their communities in order to maintain reliable service at affordable prices.

APPA and its members will work with other national, state and local organizations to support such legislation. (2001)

- 236. That APPA opposes the inclusion of an electricity title in any future federal energy bill until such time that a determination has been made regarding California and other Western market problems and the significant problems plaguing the energy industry – a critical step before Congress contemplates adding any new requirements on electric industry participants, particularly public power entities. (2003)
- 237. That APPA champion an outreach program to: 1) educate commercial and industrial customers about the important economic role public power plays nationwide and about federal issues and activities that directly affect public power; and 2) urge these customers to join with their public power providers to urge congressional leaders to maintain and adopt federal policies that ensure that the public power option is preserved.

That APPA encourage its members to contact their commercial and industrial customers to urge them to join this effort and to take all action necessary and appropriate to ensure that the voice of public power customers is heard in Washington, D.C. (2005)

238. That the American Public Power Association encourages the Department of Energy or other appropriate federal agency to study the costs and benefits of ship electrification at our nation's ports. (2006)
239. That the American Public Power Association (APPA) supports legislation, like S. 577, that would provide the CFTC with the authority to collect information concerning all positions held by the largest traders in the natural gas derivatives markets – not just those derivatives positions cleared through the NYMEX Exchange. (2007)
240. That APPA urges Congress to recognize public power systems' contribution to the goals of the Farm Bill by providing reliable electricity service to hundreds of communities throughout rural America; and

That APPA urges Congress to include provisions in the Farm Bill that ensure that allow public power systems have equitable participation in new energy programs, including those designed to promote energy efficiency and uses of renewable energy resources, that may be included in the legislation. (2007)

241. That the American Public Power Association (APPA) supports congressional and other federal efforts to encourage and provide incentives to high schools and post-secondary institutions to include and promote courses leading to professions and trades in the electricity sector; and

That APPA supports programs that encourage educational institutions to partner with trade unions and utilities to provide students with the most up-to-date training, information, and job placement services. (2008) That the American Public Power Association supports application of the Davis-Bacon and Related Acts requirements for funding of certain newly authorized- federal programs. (2009)

242. That APPA encourages Congress to continue to ensure that sufficient laws and regulations are in place to promote transparency and oversight in the energy fuels markets so that normal laws of supply and demand will be the primary determinant of the prices of these commodities. (2009)
243. That APPA supports the industry consensus model for developing interoperability standards for the integration of smart grid devices, and urges continued congressional support as well; and

That APPA commends FERC and DOE on undertaking a comprehensive interoperability standard setting process for all smart grid equipment that follows the frameworks being undertaken by the standards development organizations mentioned above; and

That APPA urges DOE to share the results of smart grid pilot projects with the electric utility industry. (2009)

244. That APPA urges public power systems to include cost-effective demand response as an integral component in their power supply portfolios and integrated resource plans, and to implement all cost-effective demand response measures on their systems, including, as appropriate for the specific system, automatic load control devices, time-of-use rates, use of “smart” appliances and devices, and other methods of reducing system demand during peak periods; and

That APPA urges public power systems located in RTO regions to assess how they can best use RTO market opportunities to maximize demand response on their systems for the benefit of their retail customers, participating as appropriate and feasible in RTO markets as sellers of aggregated demand response, whether that be through acting as single aggregator for their retail customers, designating a single third-party aggregator to act on their behalf for all or one or more “classes” of their customers, or allowing multiple third party aggregators to aggregate retail customers for all or one or more classes of customers on their systems;

That APPA urges public power systems in RTO regions to present the results of such assessments to their RERRAs (which may be the system’s city council, utility board, other local governing body, or state public service commission, as specified under the relevant state and local law), and for those RERRAs to consider the assessment and take appropriate action to duly enact the necessary policies in a law or regulation; and

That FERC and the relevant RTOs should respect, honor and implement the duly implemented laws and regulations of public power systems’ RERRAs regarding the aggregation of demand response on the systems of such public power entities; and

That APPA urges FERC, on rehearing of Order No. 719, to recognize the burdens that its current policy regarding the laws and regulations implemented by RERRAs concerning aggregation of demand response places on the RERRAs of “small utilities” located in RTO regions, as that term is defined by the Small Business Administration under the Small Business Regulatory Flexibility Act; and

That APPA accordingly urges FERC on rehearing of Order No. 719 to reverse the presumption that ARCs may aggregate retail customers on the systems of such small public power utilities and making clear that the systems’ RERRAs must enact a specific law or regulation to allow ARC’s to so aggregate customers. (2009)

245. That APPA supports the language passed by the House of Representatives in H.R. 4173, the Wall Street Reform and Consumer Protection Act, that provides an exemption from mandatory clearing of OTC derivatives transactions for those entities who hedge for purposes of limiting commercial risk. The Senate should support a similar exemption so that the final legislative language does not harm the ability of public power utilities to hedge against price volatility; and

That APPA supports legislative language that explicitly gives FERC primary jurisdiction over RTO products such as FTRs so that FERC may continue to administer these important tools, and similarly, for the intra-state ERCOT market which is not FERC language that continues the primary jurisdiction of the Public Utility Commission of Texas over products such as FTRs in that region; and

That in the case of market manipulation in RTO markets, APPA recognizes that CFTC's expertise in investigating manipulation would be invaluable, and encourages Congress to allow CFTC and FERC to work together to prevent manipulation in the energy markets. (2010)

246. That the CFTC and prudential regulators should exempt from margining requirements swap transactions that are not cleared in which one party is a commercial end user, including any requirement to post cash or non-cash collateral; and

That the CFTC should exclude commercial end users, and in particular not-for-profit end users, from the definitions of "major swap participant" and "swap dealer;" and

That the CFTC should convene a process for energy industry market participants and stakeholders to develop reporting standards and develop a consistent approach that would simplify both data record-keeping and reporting end users; and

That the CFTC should not claim jurisdiction over FERC-regulated markets, services or products, and should exclude Federal Power Act Section 201 (f) transactions from CFTC regulations; and

That the SEC should modify the proposed rules so that the definition of "municipal advisor" does not include any board member of a municipal entity. Second, the proposed rules should be modified to better clarify the circumstances under which a broker-dealer is acting as a municipal advisor. Third, the proposed rules improperly extend the restrictions on municipal advisors to investments of municipal entities made with funds that are not bond proceeds and these results should be changed; and

That Congress should pass legislation giving the regulatory agencies additional time to implement Title VII of the Dodd-Frank Act, structuring that legislation to ensure that the agencies define all necessary terms such as "swap" before moving forward with additional rulemaking. (2011)

247. That the American Public Power Association (APPA) urges the federal government to continue to play an important role in smart grid development related to coordination and research and development; and

APPA urges the various federal agencies involved in smart grid policy and standards development to better coordinate on policy and standard-setting efforts, including those in the area of cyber security, to ensure that the policies and standards they adopt are consistent and do not conflict; and

APPA believes that the issue of how best to protect retail consumer data collected in association with smart grid installations is primarily a state and local issue that should be dealt with by state and local governmental entities, with appropriate policy guidance from federal entities such as the Department of Energy; and

That APPA believes Congress needs to examine the need for dedicated spectrum for utilities. (2011)

248. That APPA encourages FERC to host a series of technical conferences to

address issues such as:

- Operational and associated commercial procedures used by interstate pipelines and transmission/generation operators;
- Current products and services offered by both pipeline/storage operators and generation/transmission operators;
- Potential new transportation/storage/banking products and services that could be offered to accommodate electric generation purposes;
- Financial requirements for the development of new pipeline and storage facilities;
- Associated cost recovery, cost allocation, and rate design practices; and
- The extent to which the current Standards of Conduct adversely impact communications between transportation/transmission and gas supply/power supply functions prior to and during emergencies.

That APPA suggests that FERC issue a formal Notice of Inquiry (NOI) that seeks comment from interested stakeholders on whether impediments exist that hinder better coordination among the industries and how the Commission can address them; and

That APPA strongly urges FERC to study the economic and electric reliability impacts that will result from the retiring of coal-fired generation; and

That APPA believes that FERC should view gas-electric coordination in regions with RTOs differently from regions with bilateral electricity markets; and

That APPA encourages FERC to facilitate discussions with state commissions and electricity and natural gas industry stakeholders to address potential reliability issues surrounding natural gas curtailment policies; and

That APPA urges the appropriate committees in Congress to examine these issues as well and to monitor FERC's activities in this area. (2012)

249. That APPA believes that government-owned utilities should have the same ability to hedge commercial operations related risks as other utilities;

That APPA urges the CFTC to provide a narrow exemption from the swap dealer \$25 million special entity *de minimis* threshold for transactions hedging government-owned utilities' commercial operations-related risks or provide similar permanent relief that would give government-owned utilities' counterparties the certainty they need to enter into the transactions government-owned utilities need to manage commercial operations risks;

That APPA urges the CFTC to provide such relief immediately and without additional limitations or requirements on counterparties to such transactions; and

Absent action by the CFTC, APPA urges Congress to enact, and the President to sign, an amendment to the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 providing such relief. (2013)

250. That APPA will continue to work with FEMA, the Department of Energy, the

Department of Homeland Security and other federal agencies to improve preparedness, coordination and understanding between these federal entities, APPA and utilities, and to streamline the administrative obstacles to procuring assistance during and after a major storm/event; and

That APPA will work with its members, other utility associations, and federal agencies to enhance communication and information sharing during preparation and recovery from disasters; and

That APPA will continue to educate and encourage all APPA members to have mutual aid agreements, update them yearly, and be ready to assist other public power utilities in the time of need. (2013)

251. That APPA believes Congress should enact legislation that makes it far more difficult for PAEs to bring frivolous lawsuits to court; and

That APPA believes patent reform legislation must prevent PAEs from using the threat of litigation as a means to extract licenses for dubious patents from end users; and

That APPA believes patent reform legislation should expand the PTO CBM review program to enable administrative challenges of all low-quality business method patents. (2014)

252. That APPA will continue to work with its members, the Mutual Aid Working Group, other utility associations, and federal agencies to enhance communication and information sharing during preparation and recovery from disasters; and

That APPA will continue to work with FEMA, the Department of Energy, the Department of Homeland Security, and other federal agencies to improve preparedness, coordination, and understanding among these federal entities, and utilities, and to streamline the administrative obstacles to procuring assistance during and after a major storm/event; and

That APPA will continue to educate and encourage all APPA members to familiarize themselves with the public power Mutual Aid Plan, have mutual aid agreements and disaster plans, update them yearly, and be ready to assist other public power utilities in times of need. (2014)

253. That the American Public Power Association believes unmanned aerial aircraft (drones) could be beneficial to the operation of public power utilities, including for surveying electric power equipment, assessing damage, and aiding in construction and repair; and

That current Federal Aviation Administration (FAA) regulations and federal aviation laws have failed to keep pace with this emerging technology; and

That FAA regulations and federal aviation laws should facilitate, not 41 impede, the responsible use of drones by public power utilities. (2015)

254. That the American Public Power Association (APPA) supports efforts to expand workforce training opportunities and resources for the electric utility sector, including efforts aimed at K-12, vocational, and college education and training; and

That APPA urges Congress to ensure the eligibility of local governmental entities in the workforce activities anticipated under any legislation; and

That APPA calls on Congress and the Administration to include continuing education for utility employees among the eligible programs and activities for federal workforce development agencies' resources. (2016)

255. That the American Public Power Association (APPA) commends its members for executing and participating in mutual aid agreements and encourages greater member participation in mutual aid; and

That APPA commits to enhancing and expanding the mutual aid program among its members, including improved promotion and coordination of member efforts; and

That APPA calls on Congress to reform federal disaster assistance programs to improve the administration and determination of Federal Emergency Management Agency grants to: better enable utilities to use federal funds for disaster prevention and system resiliency investments; expedite federal payments to utilities for both direct disaster responses and mutual aid payments; and provide adequate federal funding for disaster response. (2018)

GRID SECURITY

1. APPA will continue to work with NERC and other local, state and federal government agencies to ensure that our critical infrastructure is as secure as possible.

APPA will seek federal reimbursement where appropriate for implementation of any extraordinary federal government requirements for infrastructure security measures necessary to protect the health and safety of the general public. (2002)

2. American Public Power Association urges Congress, the Administration and state legislatures when considering legislation or other proposals relating to the electric utility industry or national security, to include measures to protect from disclosure, information contained in a public power system's records that could be used to target utility facilities or individual customers to acts of violence or terrorism. (2002)

3. That the American Public Power Association (APPA) calls upon the federal government to ensure that all costs associated with ensuring security of federal hydropower and delivery system facilities in the aftermath of the events of September 11, 2001, are treated as non-reimbursable and that payment of such costs be funded through federal appropriations; and

That, if the Bureau of Reclamation proceeds to charge power customers for site security costs, then APPA urges Congress to expressly authorize oversight of the Bureau's site security program to ensure accountability to Congress and to provide cost certainty to funding stakeholders through an equitable, durable allocation of costs. (2006)

4. That APPA supports the cyber-security standards developed by NERC and approved by FERC and will work with its members, the relevant policy makers in Congress, and the appropriate federal agencies to oppose congressional efforts to impose a "one-size fits all" approach to cyber-security on the BPS.

That APPA agrees that NIST cyber security standards should be considered by the electric power industry during the course of NERC's planned reassessment of the CIP standards beginning in 2008. (2008)

5. That APPA urges Congress to consider legislation that is narrowly crafted and targeted to address cyber security emergencies without placing an unnecessary burden on the industry with only limited results.(2009)

6. That APPA supports the industry consensus model for developing interoperability standards for the integration of smart grid devices, and urges continued congressional support as well; and

That APPA commends FERC and DOE on undertaking a 80 comprehensive interoperability standard setting process for all smart grid equipment that follows the frameworks being undertaken by the standards development organizations mentioned above; and

That APPA urges DOE to share the results of smart grid pilot projects with the electric utility industry. (2009)

7. That the American Public Power Association (APPA) urges the federal government to continue to play an important role in smart grid development related to coordination and research and development; and

APPA urges the various federal agencies involved in smart grid policy and standards development to better coordinate on policy and standard-setting efforts, including those in the area of cyber security, to ensure that the policies and standards they adopt are consistent and do not conflict; and

APPA believes that the issue of how best to protect retail consumer data collected in association with smart grid installations is primarily a state and local issue that should be dealt with by state and local governmental entities, with appropriate policy guidance from federal entities such as the Department of Energy; and

That APPA believes Congress needs to examine the need for dedicated spectrum for utilities. (2011)

APPA supports legislation and regulations that provide adequate liability protection to electric utilities that experience cyber-attacks. (2014)

8. APPA will continue to work with its members and other utility association, the ESCC, and federal agencies to enhance collaboration with agencies across all levels of government that play a role in the mission to protect critical infrastructure; and

APPA will continue to work with the Department of Energy, the Department of Homeland Security, and other federal agencies to forge strong industry-government partnerships between APPA members and law enforcement agencies at the federal, state and local levels to improve coordination, to identify potential threats, and to better protect the grid's critical assets; and

APPA will continue to educate and encourage all APPA members to improve protection strategies that include tighter physical access measures and surveillance, industry-wide physical and cybersecurity standards and guidelines, participation in emergency preparedness drills that focus on protection, response and recovery, and further development of emergency supply chain networks and spare equipment sharing programs to support restoration;

APPA will continue to support legislative and Administration efforts to enhance information-sharing so electric utilities receive early warnings from the federal government about known physical threats to the system (2014)

9. That the American Public Power Association (APPA) continues to support the language included in the Energy Policy Act of 2005 that requires any federal agency with jurisdiction over property on which electric transmission facilities are located, to work cooperatively with the owners and operators of the facilities to implement vegetation management procedures and standards for maintaining the reliability of the facilities and urges Congress to ensure that that language is being implemented appropriately;

That APPA supports policies that provide electric utilities with transmission and distribution lines located on ROW on federal lands with reasonable certainty that the approving federal agency will respond in a timely and consistent manner;

That APPA supports legislation that would provide electric utilities with a sensible framework to manage ROW on federal lands in a consistent and reliable manner, allow for procedures to reduce delays, modify rules on liability on an immediately adjacent to ROW, and allow for training of federal personnel to ensure consistency on ROW determinations; and

That APPA supports a federal policy (whether through legislation or rulemaking) that allows utilities to immediately remove vegetation from nearby federal land to protect the electrical infrastructure from impending damage and/or destruction in an emergency situation; and

That APPA supports a federal policy (whether through legislation or rulemaking) that ensures that a utility is not liable if the federal government fails to allow the utility to manage vegetation on or adjacent to the right-of-way. (2016)

10. That the American Public Power Association (APPA) urges Congress to amend the definitions of critical electric infrastructure (CEI) and defense critical electric infrastructure (DCEI) in the FAST Act to explicitly include cybersecurity measures and assets; and

That APPA urges Congress to give the Department of Energy (DOE) clearer authority to promulgate its own rules to designate critical electric infrastructure information (CEII); and

That APPA urges Congress to amend the FAST Act to make it clear that CEII submitted to the Federal Energy Regulatory Commission (FERC) or DOE must be treated as such even if FERC or DOE does not immediately designate the information as CEII; and

That APPA urges Congress to amend the FAST Act to protect CEII for a period longer than five years. (2020)

HYDROELECTRIC

1. Favors the continuing development of the West through federal reclamation, and the construction of the multiple-purpose projects upon which such development depends. (1947)
2. Suggests that the legislative and executive branches of the federal government accelerate and augment the program of constructing power producing multi-purpose river projects together with transmission facilities where appropriate as rapidly as its physically and economically possible. (1948)
3. Commends the establishment of the President's Water Resources Policy Commission, and recommends that consideration of legislation making major changes in federal water resources legislation be deferred until the Commission shall have made its report and recommendations. (1950)
4. Urges the Congress of the United States to enact legislation without further delay authorizing the construction of the St. Lawrence Power Project (1) by the federal government or (2) jointly by the State of New York and the Province of Ontario. (1950)
5. Supports legislation prescribing a comprehensive, coherent and uniform policy with respect to U.S. participation in the development and utilization of hydroelectric power; and supports the "Water Resources Act of 1951" proposed by the President's Water Resources Policy Commission. (1951, 1952)
6. Supports development by the federal government of the maximum power potential of water resource projects such as Rampart Canyon in Alaska; Dickey-Lincoln School in Maine; Auburn in California; Lynn Crandall, Knowles, and China Gardens in the Pacific Northwest; the integrated Loup River division in Nebraska; High Cow Creek in Montana; Lower Auchumpkee in Georgia; Raystown in Pennsylvania; Tocks Island in Pennsylvania and New Jersey; Trotters Shoals in Georgia and South Carolina; full multiple purpose development of the Potomac River and the Upper Mississippi River; a third powerhouse at Grand Coulee in Washington plus additional generating units at other federal projects on the Columbia River; Salem Church and Moores Ferry in Virginia; Bluestone in West Virginia; low-head power facilities on the Ohio River; Passamaquoddy-St. John in Maine; Trinity River Division in California; multipurpose development of water resources of the Missouri River below Gavins Point; Devils Jumps in Kentucky; John Day Dam in Pacific Northwest; Hells Canyon Dam in Idaho; and Bridge Canyon (Hualapai) and Marble Canyon Dams on the Colorado River. (1952-1968)
7. Favors adoption of legislation which will exempt existing and future state and municipal water power projects from the recapture provisions of the Federal Power Act and from the payment of any fees or charges to the Federal Power Commission and from any regulation or control by the Federal Power Commission after such projects are constructed, except such regulation and control as the Commission finds necessary to protect navigation and flood control. (1953)
8. Urges that the relevant federal statutes be amended to authorize the appropriate federal power marketing agency to enter into coordination agreements and contracts for the sale,

purchase, and exchange of energy, stored water and use of transmission facilities with the owners of non-federal hydroelectric generating facilities; provided, that such arrangements may be entered into for periods not to exceed 50 years and be subject to review every five years; provided further, that such legislation set forth standards to be used in formulating such agreements and include a method of appeal for the enforcement of such agreements; and provided further, when such agreements require payment for headwater benefits, such payments shall not exceed the annual costs which would have been incurred if the downstream beneficiary owned and operated that portion of the upstream facility allocated to such downstream plant. Payments made under such agreements may, if the agreements so stipulate, constitute complete satisfaction of payments required under section 10(f) of the Federal Power Act. No such agreement shall be contrary to the terms or provisions of any permit or FPC license nor shall any compensation be paid on behalf of any existing upstream storage project for any benefit it is legally obligated to provide as a requirement of its permit, license or otherwise; and urges the Senate Committee on Interstate and Foreign Commerce to request the Secretary of the Interior and the Federal Power Commission to conduct a study of upstream benefits and coordinated operation as they may affect present and future hydroelectric power projects. (1960)

9. Recommends federal construction of transmission facilities required to firm hydroelectric power in the Missouri River Basin, and requests public hearings in the region on proposed facilities. (1963)
10. Supports the development of the Middle Snake River between Idaho and Oregon as proposed by Washington Public Power Supply System and Pacific Northwest Power Company and opposes legislation which would prevent the Federal Power Commission from issuing a license for this project. (1959, 1960, 1962, 1963, 1964)
11. Supports further studies looking toward 5,000,000 kilowatts of consumer owned steam generation at suitable locations in the Missouri River Basin, as well as development of additional hydroelectric dams and additional transmission facilities. (1962, 1963, 1965)
12. Commends the FPC for its action in upholding the 50-year license principle in the Holtwood case and urges application of this philosophy to any other attempts to circumvent the clear language of the law. (1963)
13. Recommends that the federal government construct economically feasible pumped storage projects at existing and future federal reservoirs as part of its comprehensive, multi-purpose water resources development program. (1963, 1964)
14. Disagrees with the Federal Power Commission's proposed interpretation of Section 14 of the Federal Power Act as requiring affirmative and individual action by Congress to effect recapture of projects at the end of the license period; believes that Congress has vested in the FPC authority to make the decision as to whether or not the U.S. should exercise its reserved authority to recapture under Section 14 or to relicense the project under Section 15; declares that if legislation is required, it should not be piecemeal with respect to each project, but should be general legislation clarifying and reaffirming the vesting of this responsibility and authority in the Commission; and does not object to so much of the proposed procedure as relates to the acquisition of information on projects to facilitate an informed decision as to whether the federal government's authority to recapture a project should be exercised. (1964)

15. Recommends that recreation be given full stature as a project purpose in planning federal multi-purpose projects, that an appropriate portion of the cost of the entire project be assigned to recreation, and that such costs be made non-reimbursable. (1964)
16. Endorses the concept of a National "Wild Rivers" System, supports the criterion established by the Senate Select Committee on National Water Resources, urges that mandatory public hearing in the affected region be added to procedures provided in section 3 (E) of S. 1446, and that these procedures be applied to all river reaches considered for designation as "wild rivers," and that provisions be made for a national inventory of undeveloped rivers to aid identifying their most beneficial use and that valuable multi-purpose sites needed for flood control and other essential purposes, including enhanced recreation, should be lost be perpetual exclusion for limited, single-purpose usage. (1965)
17. Endorses legislation which establishes a National Water Commission comprised of citizens outside of federal government service for the purpose of conducting a national water study covering the availability, demand, proper use, and conservation of our entire nation's water resources. (1966)
18. Urges recognition of the value of peaking power at present and future federal hydro projects, recommends that generating units be added to existing federal dams to take advantage of peaking potential, and declares that such peaking power should be marketed in a manner which will insure maximum usefulness to preference customers. (1966)
19. Opposes legislation which would deprive the Federal Power Commission of its authority under the Federal Power Act to regulate the terms under which electric energy generated at hydroelectric generating plants may be sold, and further states its opposition to this or any action by the Congress authorizing the construction of hydroelectric generating facilities from which the so-called "preference clause" is omitted. (1967)
20. Opposes the new interest rate formula proposed by the Administration for formulation and evaluation of water resources projects and urges that attention be devoted to re-analyzing the numerous benefits which flow from such projects for the purpose of more accurately weighing their merit. (1968)
21. Supports the ruling of the Federal Power Commission on the method of determining "net investment" in hydroelectric projects whose licenses are nearing expiration and could be subject to recapture by the United States or licensed to a new licensee, as set out in Order No. 370, issued on September 27, 1968. (1968, 1969)
22. Endorses the development with the fullest participation by local public power utilities of the energy resources of the middle stretch of the Snake River under a Federal Power Commission license to the fullest extent possible in keeping with the comprehensive use of the water resource including installation of adequate facilities to protect fish resources and to provide broad public recreational opportunities by such development. (1969, 1970, 1975)
23. Endorses the concept of the established hydro-thermal accord and the net billing arrangement between the federal power system and the publicly and consumer-owned utilities in the Pacific Northwest in order to integrate power produced by non-federal

publicly financed generating plants with the hydro-electric power produced by the federal power plants and with the sale of such power under the established rates, contracts and preference clause of the Bonneville Power Administration. (1970)

24. Supports and encourages action and legislation leading to development of hydroelectric sites on the Colorado River, principally the Hualapai (Bridge) Dam Site; solicits the support of all groups in this effort; and requests a review by Congress, the Federal Commission and such other agencies as may be affected, of the constraints and limitations placed upon this development, with the goal of lifting these constraints and limitations. (1974)
25. Reaffirms its strong support for Congressional appropriations to permit completion of engineering and design studies for the Dickey-Lincoln School hydroelectric project, and urges timely Congressional action in approving construction funds once these studies confirm the project's feasibility. (1974, 1975)
26. Supports construction of a second powerhouse and generators at McNary Dam with financing by federal appropriations, and believes that all power generated should be sold with full preference rights reserved for consumer-owned power distributors in the Pacific Northwest. (1975)
27. Urges Congress to appropriate sufficient funds to expedite construction or expansion of existing hydroelectric projects and to accelerate study of the feasibility of authorizing or licensing new federal and non-federal projects. (1975)
28. Urges that a "conservation credit" be employed in federal evaluation of hydroelectric projects to recognize contributions to reducing the nation's reliance on equivalent amounts of fossil fuels. (1975)
29. Supports funding for those water projects with original benefit-cost ratios in excess of 1:1 which were disapproved by the President. (1977)
30. Endorses federal legislation and administrative action to complete an inventory of small hydroelectric generating sites in all regions of the nation; to undertake a complete assessment of the economic feasibility of wide-scale construction of small hydroelectric facilities; to perform research, development, and demonstration of improved small hydroelectric generating technology; and to establish a program of loans and grants to municipalities and other non-profit entities. (1977)
31. Commends and supports Northern Lights in its efforts to continue to bring low cost energy to its members, and supports Northern Lights in its continued study of the proposed hydroelectric project on the Kootenai River so that it can meet all local, state, and federal requirements leading to construction of the project if feasible. (1977)
32. Reaffirms its support for development of hydroelectric power; urges the Congress to consider the advantages of such development, and to proceed accordingly; and urges the Congress to amend the small hydroelectric feasibility and construction loan and grant program under Title IV of the Public Utility Regulatory Policies Act to increase the size of facilities covered under the program from 15,000 kilowatts to 25,000 kilowatts and to

- provide that the small hydro program shall be applicable to sites without existing dams, as well as to those with existing dams. (1979)
33. Endorses and supports the Clavey-Wards Ferry hydroelectric project and opposes any federal classification of the Tuolumne River which would adversely affect the development of the Clavey-Wards Ferry project. (1979)
 34. Expresses strong opposition to any study by the Corps of Engineers which assumes its conclusion before being made and which exceeds the jurisdiction and responsibility of the Corps by examining power marketing issues which are within the jurisdiction of the Department of Energy; and condemns the characterization of the preference principle as anachronistic which characterization completely ignores the continued validity of the preference principle as a means of preserving health diversity in the electric utility industry and as providing a "yardstick" to measure the performance of investor owned utilities, and further condemns the proposition that the hydroelectric resources of the federal government should be priced at an artificial level designed to maximize profits rather than ensure the most widespread use of such resources at the lowest possible cost as required by federal law. (1979)
 35. Supports the historic position of the Environmental Protection Agency that man-made impoundments do not discharge pollutants under the terms of the Water Pollution Control Act and are thus not subject to regulation under that Act; and urges the EPA to defend its historic position in the context of the pending litigation and not undertake a rulemaking proceeding relating to this issue since such a proceeding is unnecessary and unwarranted. (1979)
 36. Opposes enactment of the Palisades Powerplant Construction Act of 1979, but supports federal development of the project and the marketing of power. (1980)
 37. Urges the termination of all interferences that are threatening and impeding hydroelectric production at the Harry S. Truman project. (1980)
 38. Opposes further delay, and urges the Congress to authorize construction of the Libby Additional Units and Reregulating Dam project, and to appropriate necessary funds for the project. (1980)
 39. Opposes the "sharing of the net benefits" method of computing charges for a non-federal entity to use a federal dam to generate hydroelectric power; and urges the Federal Energy Regulatory Commission to adopt a nominal fee so as to encourage the rapid and full development of all potential hydroelectric capacity at federal dams. (1980)
 40. Supports legislation that clearly provides that a license to develop hydroelectric capacity at an existing federal dam may be issued by the Federal Energy Regulatory Commission to a non-federal entity unless the federal government has immediate and concrete plans to develop the hydroelectric potential itself. (1980)
 41. Joins with other interested groups in developing legislation or appropriate administrative rules to prevent applicants for permits from tying up hydro sites when they lack the intent or ability to develop them within a reasonable time for the public interest, and coordinates a coalition to finance a complaint to be filed before the Federal Energy Regulatory

- Commission and supports hearings to be held pursuant to such complaint against those private speculators that are attempting to tie up large numbers of hydroelectric sites without the intent or ability to develop those sites. (1981)
42. Supports expedited licensing procedures for hydroelectric projects, including licensing exemptions, only if such procedures fully protect municipal preference. (1981)
 43. Urges amendment of the Wild and Scenic Rivers Act to require the appropriate federal officials to provide Congress with specific figures on the potential loss of hydroelectric potential whenever specific rivers are recommended for study and possible inclusion in the Wild and Scenic Rivers system, and that when rivers are designated for study by the Congress, the Act should require that the study include a review of hydroelectric potential lost if the river is included in the system so that the energy needs of the country may be balanced with the need to protect and preserve the environment. (1981)
 44. Opposes the de-authorization of the Dickey Dam and urges the Congress to fund construction of the entire project. (1981)
 45. Opposes legislation authorizing the Federal Energy Regulatory Commission to waive hydroelectric licensing requirements in connection with applications for, or amendments or notices of, a permit, license or exemption for an existing or proposed water project if the total installed capacity of the project upon completion is equal to or less than 15 megawatts, and urges the Congress to amend the measure to preserve state and municipal preference to the nation's hydroelectric resource. (1981)
 46. Urges the Congress to explicitly provide that hydro dams are not point sources of pollution within the meaning of the Clean Water Act. (1982)
 47. Supports legislation amending the Federal Power Act to provide a categorical exemption from licensing for all conduit hydroelectric projects. (1982)
 48. Opposes legislation which would require water project beneficiaries to reimburse the federal government for expenditures relating to dam safety where such expenditures are necessary due to the fault of the government, and urges the Congress to retain the present cost-sharing provisions of the 1978 Reclamation Safety of Dams Act under which the government, and not project beneficiaries, shall pay for expenditures necessary to correct problems attributable to the government. (1982)
 49. Expresses its opposition to any bills which would undermine the security of Los Angeles water rights in the Mono Basin and the associated hydroelectric energy, and voices its support for legislation to confirm those rights and power resources, and serve notice to our federal representatives in Washington, D.C., that we look to them to work vigorously in our behalf in regards to those measures now placed before them. (1982)
 50. Supports introduction of legislation before the Congress of the United States to simplify hydro power licensing by eliminating the overlapping and conflicting authority among various federal agencies and by consolidating final decision making authority for all matters concerning hydro power licensing in FERC; and that such legislation include authorization to FERC to employ additional staff and obtain necessary resources to enable it to carry out its increased responsibilities, and that consideration be given to the present

and anticipated future number of hydro power license applications in determining the number of additional staff personnel to be authorized. (1982)

51. Opposes the creation of a Hydro Development Trust Fund. (1983)
52. Continues to vigorously support federal development of hydroelectric projects, but also finds that the non-federal financing/public marketing of hydroelectric power produced at existing federal dams may represent a reasonable supplement to federal development of such projects which preserves the preference rights of all preference customers, and urges the Congress to pass legislation which would permit this additional approach to be implemented on an experimental basis. (1983)
53. Urges the Commission to guard against dilution of preference and the elevation of form over substance by establishing criteria for requisite control which squarely place the ownership of licensed hydro projects in the hands of the municipal applicant, and that such criteria should include site and facility ownership, project operation, and the municipality should be the primary beneficiary of the project, either by distribution of substantially all of the output of the project or receipt of substantially all of the output of the project or receipt of substantially all of the profits on sales of power to third parties. (1983)
54. Continues to vigorously support federal financing and development of all economically viable hydroelectric projects at both federal dams and at undeveloped and underdeveloped sites but recognizes that in some cases alternatives to federal development must be found; and where federal development is not possible, consumer-owned, nonprofit public power utilities and rural electric cooperatives engaged in providing electric utility service and accepting full utility responsibility must be granted a right of first refusal to contribute development funds and such systems shall be entitled to power produced proportionate to their financial contributions. (1983)
55. Vigorously supports federal financing and development of all economically viable hydroelectric projects at both federal dams and at undeveloped and underdeveloped sites, but recognizes that in some cases alternatives to federal development must be found; and, in the absence of federal funding, supports other proposals for non-federal funding of federal hydroelectric projects ("cost sharing") as long as such proposals are consistent with:
 1. existing preference laws;
 2. federal control over development of federal water and power resources;
 3. federal marketing of power from federal projects; and
 4. cost-based pricing of federally-developed water and power resources.(1984)

56. Commends the Southwestern Power Administration for providing an opportunity for serious discussion of new hydro development in its region using nonfederal financing and the option of federal operation and marketing, and supports the efforts of the preference customers of SWPA to develop a plan for preference customer financed development and federal operation and marketing of new hydro in the region, provided that such plan, if implemented, will continue all the benefits of coordinated federal operation and marketing with innovative customer financing to provide a renewal of long delayed federal hydro development in the SWPA marketing area, and supports efforts of consumer owned utilities in other regions to develop plans for customer financed development of federal hydro projects so long as such plans preserve preference in marketing and public ownership and operation of new projects. (1986)
57. Opposes the addition of authorized project purposes unless power customers of the project receive complete short and long-term compensation -- including but not limited to replacement power costs for the life of the project -- for benefits lost as the result of adding a new project purpose. (1988)
58. Any addition of an authorized project purpose should be predicted upon a case-by-case congressional authorization that assumes that:
- o commitments to existing project beneficiaries are honored;
 - o full compensation is provided to existing beneficiaries for any reduction in power benefits;
 - o the addition of project purposes does not render the project uneconomic or jeopardize repayment of the United States' investment in the project; and
 - o additional project purposes carry their associated costs so that power rates are not adversely affected. (1988)
59. Opposes any change in project operation to advance the interest of unauthorized project purposes. (1988)
60. Supports provisions of existing law under which FERC has exclusive licensing authority for hydroelectric projects within its jurisdiction and opposes legislation that would grant the states concurrent or superseding regulatory authority over a project licensee with respect to the use of water in the licensed project operations. (1990)
61. Encourages FERC to follow procedures in the licensing or relicensing of hydroelectric projects that will ensure that all interested parties, including federal and state agencies, have an opportunity to participate and the positions expressed are fully and fairly considered in establishing a comprehensive plan for the development of the nation's rivers as required by law. (1990)
62. That the APPA hydroelectric licensing task force review the issues raised by the recent judicial and legislative actions affecting the licensing of projects. (1990)
63. Believes that any legislation enacted by Congress to address the impacts of Glen Canyon Dam must:

1. Not interfere with the ongoing Environmental Impact Statement (EIS) process so that the Secretary will be presented a balanced EIS as required by the National Environmental Policy Act (NEPA);
 2. Not restrict examination of all reasonable alternatives, both non-operational mitigating measures as well as changes in power plant operation;
 3. Not interfere with the Secretary's current authority to implement interim mitigating measures, including interim water release criteria;
 4. Ensure an equitable allocation of the costs associated with the EIS and related studies; and
 5. Not invade the provisions of NEPA so as to prevent that Act from being complied with throughout the interim decision-making, the EIS and subsequent decision processes. (1991)
64. Opposes amendments to the Clean Water Act, including S. 812, that expand the section 401 permit process beyond consideration of water pollution and water quality standards. Such changes would erode the authority of the Federal Energy Regulatory Commission in the exercise of its statutory responsibility to impose conditions in the licensing of hydroelectric facilities that balance all competing uses of the water resource. (1991)
 65. Continues to believe the public interest would be best served if the remaining hydroelectric potential of this region was developed by the federal government with electricity sold to consumer-owned electric utilities and public bodies on the basis of preference by a federal power marketing administration. (1991)
 66. If federal development of this region's remaining hydroelectric potential does not take place, the American Public Power Association believes it is imperative that development be undertaken by consumer-owned electric utilities in order to assure that the benefits derived from the development of this great public resource flow, as directly as possible, to the people of the region. As a result, the American Public Power Association calls on Congress to explore and enact financial, environmental, and other incentives which can be provided to the region's consumer-owned electric utilities in order to encourage the region-wide development of the remaining hydropower potential of these states. (1991)
 67. Opposes removal of the Elwha River Dams and other safe, reliable and economically beneficial hydroelectric power resources. The American Public Power Association also supports fisheries enhancement programs for the Elwha River, and urges a study by appropriate government agencies and other interested parties of the potential for conservation by the Daishowa pulp and paper mill; the costs and feasibility of restoring the anadromous fishery in the upper Elwha River; the cost of removing the dams and replacing the resource, and the cost and feasibility of the removal and disposal of sediment in the lake beds. (1991)
 68. Supports the reauthorization of the Clean Water Act, but opposes amendments to the Act, such as those contained in S. 1081, that would eliminate the section 316 thermal variance authority for states, the section 301(g) chlorine variance, and provisions that would expand the scope of current state and EPA regulatory authority over hydropower facilities. (1992)
 69. Urges the House and Senate conferees on the comprehensive national energy policy act to resolve their differences on hydroelectric issues and adopt the hydropower provisions of

- the Senate bill, which contains provisions to streamline the hydropower licensing process, and delete the hydropower provisions in the House bill. (1992)
70. Supports establishment of formal consultative processes and urges the Secretaries of Interior and Energy to fully implement the intent and spirit of the consultations required in the Grand Canyon Protection Act. (1993)
 71. Reaffirms its view that the Federal Energy Regulatory Commission should have the final authority to accept, reject or modify water quantity conditions recommended by state agencies as well as other federal agencies, and that FERC must exercise that authority recognizing that it also has the responsibility to ensure that full and fair consideration is given to balancing all competing uses of the nation's falling water resources and to ensure that the overall public interest is served. (1994)
 72. Should take the necessary steps to resolve any potential conflicts between provisions of the Federal Power Act and the Clean Water Act by restricting conditions that FERC must accept under the Clean Water Act to those relating to water purity. (1994)
 73. Supports efforts to protect and enhance fish and other wildlife resources through the use of scientifically-based protection and restoration measures while balancing the benefits and efficiencies of hydropower. The Association, however, takes issue with any characterization of western water resource development as mistaken policy and strongly objects to any recommendation to remove a dam, particularly if the removal is to occur at the owner's expense. (1995)
 74. Believes the best way to protect the nation's fish and wild and scenic rivers is not to tear down the dams, but to work together to identify approaches to protect ecosystems and respond to environmental concerns while continuing to maximize the many benefits provided by these multipurpose projects. The federal government should recognize that fewer dams would mean higher electricity rates, fewer jobs and additional emissions from increased reliance on fossil-fueled facilities. (1995)
 75. Supports the reauthorization of the Clean Water Act, opposes amendments to the Act that would eliminate either the section 316 thermal variance for the states or the section 301(g) chlorine variance, and supports amendments that would restore the appropriate balance necessary to retain multiple benefits of hydropower facilities. (1995)
 76. Calls on Congress to exercise vigorous oversight of costs charged by the Bureau of Reclamation to hydropower operations, and to direct the Bureau to implement corrective actions as necessary. At a minimum, the Bureau should be required to:
 - Develop a 10-year planning process with input and review by federal water and power contractors and subcontractors that allows for public scrutiny; and

- Establish a procedure for federal water and power contractor oversight to review and comment on engineering, operating and auditing criteria and that would serve as a forum for the resolution of conflicts between the Bureau and the PMAs and their preference customers. (1995)
77. Should rectify the injustice of the huge cost increases for the Boulder Canyon Visitors Facilities by directing that all costs above the authorized \$32 million be non-reimbursable and non-returnable. (1995)
 78. Opposes the proposed federal takeover of the Hetch Hetchy facility. (1995)
 79. That before any increase in payments from San Francisco is considered or demanded, there be a study of how existing payments compare to those made by other similarly situated entities (including in particular hydropower licensees) and that consideration be given to the broad-based public benefits that have been provided and will continue to be provided by San Francisco. (1995)
 80. That the APPA supports changes to the FERC-administered hydro licensing process that would eliminate duplicative regulatory processes, enhance the involvement of the public and provide a substantive role for state government. (1996)
 81. That the APPA encourages Congress to amend the FPA and all other competing statutes to end duplicative authority and to ensure a balanced, rational, and principled reform of the mandatory conditioning authorities in hydropower relicensing. (1996)
 82. That the APPA reaffirms its support for the continued financial and operational sustainability of hydropower in a new competitive electricity market. (1997)
 83. That the APPA reaffirms its support of renewable energy and, in the event of federal legislation that requires electricity providers to generate or sell a minimum amount of energy produced from renewable sources, supports the inclusion of hydropower as a renewable resource and in any related provisions involving renewable energy credits. (1997)
 84. Public power supports the goals of increased investments in renewable resources, including hydro, and the adequate funding of public benefits programs. (1998)
 85. Comprehensive federal electric utility industry restructuring legislation must address and resolve the lengthy, duplicative and at times contradictory regulatory process for licensing and relicensing of hydroelectric facilities to ensure that output of these facilities is not needlessly curtailed at a time when there is a premium being placed on other renewable, non-polluting facilities. (1998)

86. APPA and its members:

- Urge FERC to subject all divestitures and transfers of FERC hydroelectric licenses to the broad scrutiny and attention needed to assure that the transfers are in the public interest, including fair, prices for consumers, the prevention of market power abuses, the interests of local communities, the public's interest in the future of adequate, affordable water supplies, and the public interest in recreation and environmental needs;
- Request that FERC set an affirmative policy whereby every license transfer is specifically subject to a finding that approval, whether individually or collectively, will not reinforce, create or increase market power in the affected region, and if such finding cannot be made, the license transfer be conditioned on specific terms and conditions to mitigate market power;
- Recommend to FERC that it establish minimum baseline guidance to govern the rules of auction to divest hydroelectric projects and resources;
- Will participate before FERC in rulemakings and other proceedings where FERC intends to deprive the public of any cost-based information relating to the investment in and operations of hydroelectric projects subject to the FERC's jurisdiction. (2000)

87. APPA will carefully monitor the transfer of privately-owned FERC hydroelectric licenses to ensure provisions of the Electric Consumers Protection Act are not incorrectly interpreted to give privately-owned utilities first right of refusal on the purchase of a hydroelectric facility, and continue to urge FERC, under existing authority, to prohibit practices by licenses that restrict competition in the relicensing process. (2000)

88. APPA urges Congress to reject proposals to breach or remove hydropower producing dams and support adding hydropower facilities to existing dams where environmentally and economically feasible. (2000)

89. APPA supports programs, incentives and initiatives that spur new hydropower development or expansion of existing projects. (2000)

90. That the American Public Power Association calls on Congress to enact legislation that will provide incentives to utilities, regardless of ownership type and to other qualified entities for the purpose of the research, development, and implementation of wave and tidal in-stream energy technologies. (2007)

91. That the American Public Power Association calls on Congress and the Administration to meet their obligations to provide sufficient appropriations for the maintenance of Corps and Bureau hydropower plants to achieve maximum efficiency of their operations. (2009)
92. That the American Public Power Association (“APPA”) calls on Congress and the Administration to direct the Corps of Engineers to follow the directives of the Dam Safety Act of 1986 in allocating costs associated with dam safety repairs. (2010)
93. The American Public Power Association (APPA) urges the Federal Energy Regulatory Commission, in consultation with the Army Corps of Engineers, Bureau of Reclamation, Fish and Wildlife Service, National Marine Fisheries Service, and state water quality and resources agencies to implement through rulemaking a more streamlined, two-year process for minimal impact projects of all sizes such as the addition of hydropower to existing non-power dams where such projects are feasible; and

That APPA urges Congress to amend Section 30 of the Federal Power Act to exclude facilities of 1.5 MW or less, to direct the Federal Energy Regulatory Commission (FERC) to establish a blanket exemption process for installations up to 5 MW, to clarify Section 30 to ensure that all conduit facilities are treated uniformly, and direct FERC to streamline its licensing process for other small hydropower installations in existing conduits to encourage small hydropower development; and

That APPA urges FERC to immediately begin a licensing and exemption streamlining review of existing regulations and processes in cooperation with the hydropower community to enhance the financial feasibility of small hydropower investments. (2010)

94. That the American Public Power Association (APPA) believes that hydropower is a clean renewable resource with significant untapped job-creating and renewable-energy benefits, and potential for expansion that should be strongly encouraged by Congress; and

That APPA supports legislation that cuts the lengthy, duplicative and, at times, contradictory regulatory processes for hydropower projects and that will reduce the regulatory burdens that many APPA members have encountered; and

APPA supports removing from FERC jurisdiction conduit projects, up to 5 MW, that generate electric power; and

That APPA continues to support legislation, programs, incentives, and initiatives that spur new hydropower development including MHK, pump storage, low-impact, constructed waterways, non-hydro dams, and the expansion of existing projects. (2012)

95. That the American Public Power Association (APPA) supports an efficient and streamlined process for upgrading or expanding existing FERC-licensed projects; and

That APPA supports the preservation of existing hydropower capacity and operational flexibility to the maximum extent practicable, and consistent with environmental

protection, because hydropower is a renewable resource that also provides a variety of ancillary services to the electric grid; and

That APPA supports requiring all resource agencies with mandatory conditions for a facility to work together under the designated schedule thereby reducing waste, improving decision making, and reducing the potential for conflict; and

That APPA supports requiring resource agencies to clearly define the objective of each mandatory condition with an accompanying rationale and disclosure of impacts in an open and transparent manner thereby adhering to the same standard of disclosure and explanation required of the licensee and other parties submitting mandatory conditions. (2013)

96. That APPA supports language in WRDA that provides the right balance between the interests of the new project beneficiaries and the longstanding purchasers of Corps hydropower.(2013)

97. That the APPA encourages the USACE and FERC to improve coordination between the respective agencies which would greatly reduce timely and costly delays in the development of needed hydropower capacity; and

That APPA recommends that the USACE exercise its existing operational authority to improve river flows to maximize the value of hydropower generation

That APPA urges the USACE to accept 404 permit application and 408 approval requests simultaneously and to work on such application concurrently (2014)

98. That the American Public Power Association (APPA)supports an efficient, streamlined and cost-conscious regulatory review and streamlined permitting process for both existing and new low- and zero-emission projects, and associated transmission and natural gas pipeline projects, necessary to meet local, state, regional, and federal energy- and climate change-related policies; and

That APPA supports the preservation of existing low- and zero-emission projects capacity and operational flexibility to the maximum extent practicable; and

That APPA supports requiring federal regulatory agencies with the ability to impose mandatory conditions on a project to work together in an expedited manner to facilitate the preservation and development of low- and zero-emission projects to reducing waste, minimize burdensome administrative requirements, and improve decision making, and

That APPA supports requiring federal agencies to clearly define the objective of each mandatory condition with an accompanying rationale and disclosure of impacts in an open and transparent manner thereby adhering to the same standard of disclosure and explanation required of stakeholders submitting mandatory conditions. (2015)

99. That the American Public Power Association (APPA) calls on the Department of Interior, and specifically, the Bureau of Reclamation, to comply with the law and assess Central Valley Project Improvement Act (CVPIA) Restoration Fund charges in proportion to Central Valley Project (CVP) cost allocations; and

That APPA calls on Congress to investigate the transparency of current expenditures and the disproportionate assignments of CVPIA costs; and

That APPA urges Congress to take appropriate steps to ensure the proper allocation of costs to federal power customers. (2016)

100. That the American Public Power Association (APPA) supports an efficient and streamlined process for upgrading or expanding existing Federal Energy Regulatory (FERC)-licensed projects, consistent with environmental protection requirements of federal and state law; and

That APPA supports modernizing the hydropower licensing process to ensure licensees are credited for taking beneficial actions in advance of license renewal by having FERC recognize these “early actions” when setting the next license term; and

That APPA supports reducing the 10-year hydropower licensing process by requiring FERC to lead a consultation with agencies and tribes to set forth a schedule in each licensing proceeding for submission of all permits and authorizations required under federal law; and

That APPA supports improvements to the licensing study process, including a collection of existing studies and data to reduce duplication of existing information; and

That APPA supports the availability of trial-type hearings and alternatives whenever an agency exercises mandatory conditioning authority during a license term, and a hearing process that is fair for all parties, that requires each party to bear the burden of proof for conditions it seeks, and that is presided over by FERC’s expert administrative law judges; and

That APPA supports clarifying agencies’ statutory requirement to document how they have equally considered other public purposes of a project when setting conditions; and

That APPA supports the establishment of expedited license amendment procedures that are commensurate with the scope of a proposed amendment. (2016)

101. That the American Public Power Association (APPA) supports active forest management by federal land management agencies, involving local/regional collaborations, to enhance the reliability of the electricity grid and reduce the threat of wildfires to hydropower facilities, electric transmission, and distribution facilities located on federal lands; and

That APPA supports efforts in Congress to redirect annual land use charges collected from hydropower project licensees to the licensees, to be used in collaboration with federal land managers, local government, and non-profit organizations, for projects to reduce the threat of catastrophic wildfire to hydropower facilities and to mitigate the adverse impacts to

flow and water level management, wildlife, species management, and recreation in these critical watersheds; and

That APPA believes this approach supports hydropower project licensees with cooperative agreements or contacts with federal land management agencies to execute watershed management, right of way hazard mitigations, habitat protection, and restoration projects to mitigate the risk of wildfire and secure water supplies; and

That APPA supports efforts by Congress to enact legislation that would provide hydropower project licensees that use federal lands with additional resources to collaborate with federal land managers to protect critical watersheds. (2017)

102. The American Public Power Association (APPA) encourages Congress to pass legislation to improve the hydropower licensing and relicensing process; streamline the permitting process for interstate natural gas pipelines; and to facilitate vegetation management near electric facilities located on federal lands; and

APPA supports the inclusion of hydropower, pipeline, and vegetation management legislation into the energy title of an infrastructure bill. (2017)

103. That the American Public Power Association urges the Bureau of Reclamation to take prompt and timely action to ensure full crediting to Central Valley Project power customers for overcharges made by the agency for costs associated with the Central Valley Project Improvement Act. (2019)

JOINT ACTION

1. Urges all states to enact legislation which will allow local publicly owned electric utilities to participate in joint planning, generation or transmission arrangements with other public and private entities. (1968)
2. Supports use of "joint action" approaches to bulk power supply or local public power systems; and urges that all states enact enabling legislation or constitutional amendments which will permit local public power systems to implement such programs to aid them in holding down electric rates for their consumers. (1979)
3. Urges the Internal Revenue Service to reconsider its current course of action and to desist from ruling that joint powers authorities are subordinate entities to the individual member governmental entities which form the authorities thereby requiring that there be an allocation of a proportion of the authorities' bond issuance to the individual member governmental entities. (1990)
4. Calls on Congress to clarify, if necessary, the application of the term "subordinate entities" to multiple member joint powers authorities and to exclude a proportionate share of bonds issued by the joint powers authorities in the annual allocation of the total bond issuance of individual members within the authority, thereby ensuring the effective use of joint powers authorities in meeting the nation's infrastructure needs. (1990)

MUNICIPAL BONDS

1. Opposes any attempts to extend the federal taxing power to income and interest on bonds of publicly owned electric systems. (1948)
2. Favors legislation authorizing national banks to deal in and underwrite certain types of revenue bonds provided that the necessary safeguards are included to protect the public interest. (1955, 1956)
3. Opposes any legislation which would impose a federal tax on the income from state, municipal and other public agency bonds, and which would repeal the long-standing existing exemption not incorporated in Section 103 of the Internal Revenue Code of 1954. (1960, 1961, 1962, 1963, 1964)
4. Supports legislation which would eliminate the tax-exempt status of any state or local obligation secured in a manner which demonstrates that the obligation is issued on behalf of a private industrial or commercial enterprise which is unrelated to essential public services. (1968)
5. Reaffirms its opposition to (a) any attempt to terminate the tax exempt status of bonds issued by state and local governments to finance essential public services, including electric power, and (b) the substitution of a federal tax subsidy for the Constitutional and legislative immunity from federal income tax on bonds issued by state and local governments; urges that the Congress not enact any legislation affecting state and local bonds which would (a) raise the cost of money to state and local governments, (b) adversely affect the ability of state and local governments to market their bonds at the lowest possible cost, (c) create a federal subsidy or state and local bond marketing system which would make the payment of such bonds dependent on federal appropriations, (d) provide for federal review of state and local projects and bond issues, or (e) alter the Constitutionally-protected right of state and local governments to issue tax exempt bonds; and reiterates its opposition to tax exemption of obligations of state or local agencies which are issued on behalf of private industrial or commercial enterprises unrelated to essential public service, but believes, however, that the Revenue and Expenditures Control Act of 1968 is ambiguous, and is capable of administrative interpretation which would impede the financing of publicly owned electric facilities, and endorses enactment of legislation to clarify the definition of industrial development bonds so as to clearly exclude from such definition obligations issued by public agencies to finance facilities to be owned by, and operated by or for such agencies to provide essential public services, irrespective of the sources of the revenues which service such obligations. (1969)
6. Favors the adoption of an amendment to the United States Constitution expressly protecting and preserving the immunity of the income of the United States, the states, political subdivisions, agencies and instrumentalities thereof, and of income derived from interest paid on evidence of indebtedness of any one of such governments or subdivisions from taxation by the other. (1970)
7. Stands opposed to the further extension of special tax incentives and the use of public funding for the construction of any investor owned utility generating plants including the financing of equipment which cannot be properly defined as pollution control equipment. (1974)

8. Urges the Treasury Department to issue promptly regulations which will insure the continued use of tax-exempt bonds for non-profit corporations on behalf of political subdivisions for the continued development of facilities to meet the need of municipal electric utilities and their consumers. (1975)
9. Urges that, (a) the federal government provide transitional financial assistance to those publicly owned electric utilities whose unamortized electric generating plant investments are compromised by the implementation of government fuels policies; (b) that government financing programs to aid in the planning of public works facilities, including electric utility facilities, be re-established; (c) that Congress prohibit private power companies from using municipal bonds to finance pollution control facilities, and, to the extent that utility financing assistance for pollution control is deemed in the public interest, provide a federal program of direct grants available equally to all segments of the electric utility industry, thus substituting a straightforward, nondiscriminatory payment for the present inequitable subsidy to private power companies. (1975)
10. Opposes legislation to create an optional taxable bond and urges that the Congress end the availability of tax-exempt municipal bonds for the benefit of private concerns organized for profit. (1976)
11. Opposes federal legislation which would mandate compulsory federal guidelines and supervision by the Securities and Exchange Commission for offerings of securities of state and local governments. (1977)
12. Supports a bill to permit commercial banks to underwrite all non-industrial municipal bond issues. (1978)
13. Opposes any further expansion of the use of tax-exempt industrial revenue bonds to build privately owned energy projects and urges that Congress limit use of municipal bonds to energy projects which are owned and operated by units of state and local government. (1980)
14. Urges the Congress to repeal all provisions of the federal tax code which operate to preclude the use of tax-exempt bonds for public power energy conservation financial assistance programs. (1981)
15. Urges Congress not to enact any change in the Internal Revenue Code that would limit the interest cost deduction that banks may take for purchasing or carrying municipal securities. (1982)
16. Opposes the limitation on refunding escrow yields imposed by Treasury Regulation section 1.103-13(c) (1) and (2); urges the immediate acquiescence of the Internal Revenue Service to the October 19, 1982 decision of the D.C. Court of Appeals in this matter; proposes and supports the interpretation of the U.S. Tax Code permitting the recovery by tax-exempt issuers of refunding bond issuance costs through higher escrow yields and urges that the Treasury issue regulations to the effect; and if the above efforts are not successful, that appropriate corrective legislation be introduced and passed by the U.S. Congress. (1983)

17. Urges the Congress of the United States to introduce and enact such amendments to the Internal Revenue Code as would exclude or exempt the treatment of bonds, notes, or other debt instruments issued to finance the Susitna Hydroelectric Power project in Alaska from classification as an "industrial development bond" under Section 103 of the Internal Revenue Code and its implementing regulations; that, if feasible and permissible, regulations implementing the Internal Revenue Code be promulgated by the Internal Revenue Service to permit the Alaska Power Authority to issue bonds, notes, or other debt instruments to finance the Susitna Hydroelectric Power project with the interest derived by the holders of said bonds, notes, or other debt, from said bonds, notes and debts instruments to be free from federal taxation; and that in the alternative to the specific amendments to the Internal Revenue Code and its implementing regulations described above, such other amendments to the law be enacted as will permit bonds, notes and debt instruments financing the Susitna Hydroelectric Power Project in Alaska will be deemed exempt from taxation under the Internal Revenue Code. (1983)
18. Urges the Conference Committee to endorse the Senate provision of the "Deficit Reduction Act of 1984", (H.R. 4170), to exclude tax-exempt interest from being taken into account in determining the amount of social security benefits to be taxed. (1984)
19. Opposes the Moynihan amendment to H.R. 4170, the Deficit Reduction Act, which defines investor-owned utilities in New York state as "exempt persons" for purposes of purchases of power or use of transmission facilities constructed and/or owned, by the New York Power Authority. (1984)
20. Supports legislation which would enable public power systems to issue tax-exempt obligations to modify projects financed prior to July, 1972 notwithstanding the interpretation of the 1968 amendment where such systems are legally obligated to make such modifications. (1985)
21. Opposes any legislation or regulations which would reduce the 25 percent limit on private entities benefiting from the proceeds of tax-exempt financing and opposes any legislation or regulations which would further restrict or prohibit local government use of arbitrage opportunities or advanced refunding. (1985)
22. Reaffirms support for continued use of tax-exempt financing by units of local government, including local public power systems, where the facilities so financed promote the general public welfare and are owned and operated on behalf and for the benefit of their own citizens, and opposes any legislation or regulations which will limit or eliminate the availability of tax-exempt financing for such purposes, and that if any modifications are made to the tax-exempt status of such units of local government, such changes must not affect existing financial arrangements and should be applied only prospectively. (1985)
23. Urges the United States Congress to enact technical changes to the Tax Reform Act of 1986 which would allow municipal electric systems to advance refund bonds that were issued to further the stated policy of the United States Government on the same basis as advance refunding by other entities that were similarly treated under prior law. (1987)

24. Calls upon Congress and the executive branch to recognize that the burden of maintaining and expanding the national infrastructure cannot adequately be met by local governments without tax-exempt financing, and to desist from legislative and administrative actions that impede this essential task. (1988)
25. Reaffirms its existing policy of opposition to the taxation of interest on government bonds and urges Congress to reconsider the inclusion of interest from public purpose bonds in the calculation of the alternative minimum tax. (1989)
26. Opposes any legislation that proposes arbitrary limitations on issuance for state and local bonds. (1989)
27. Commends Senator Roth and Representative Combest for their leadership on behalf of municipal finance and asks members of the Senate and House to join them in opposing additional restrictions of the use of tax-exempt financing. (1989)
28. Formally acknowledges and expresses its appreciation to the Anthony Commission, and in particular its chair, Representative Beryl Anthony, for its leadership and hard efforts in reviewing the current restrictions on tax-exempt financing and for its recognition of the right of state and local governments to issue tax-exempt bonds. (1990)
29. Calls on Congress to review this important report and to give serious consideration to the recommendations of the Anthony Commission, including the proposed changes to the private use restrictions. (1990)
30. Supports the objective of increasing the national savings and investment rate and urges Congress and the Administration to target any such proposals to provide incentives for investment into rebuilding the Nation's public infrastructure, such as a deductible Individual Retirement Account tied to investment in public capital facilities or Family Savings Plans invested in municipal tax-exempt bonds. (1990)
31. Calls on Congress and the Administration to strengthen the market of tax-exempt bonds by removing current obstacle to investment, in particular the inclusion of tax free interest in the Alternative Minimum Tax. (1990)
32. Urges the Internal Revenue Service to reconsider its current course of action and to desist from ruling that joint powers authorities are subordinate entities to the individual member governmental entities which form the authorities thereby requiring that there be an allocation of a proportion of the authorities' bond issuance to the individual member governmental entities. (1990)
33. Calls on the Congress to clarify, if necessary, the application of the term "subordinate entities" to multiple member joint powers authorities and to exclude a proportionate share of bonds issued by the joint powers authorities in the annual allocation of the total bond issuance of individual members within the authority, thereby ensuring the effective use of joint powers authorities in meeting the nation's infrastructure needs. (1990)

34. Urges the Internal Revenue Service to withdraw the reimbursement financing regulations and substantially modify them to incorporate a safe harbor provision that will ease the burden of these regulations, as currently drafted, and save local taxpayers and ratepayers the substantial costs of compliance. (1991)
35. Urges Congress to enact legislation, such as H.R. 1938, eliminating the \$15 million private use restriction placed solely on public power bonds, thus providing for equal and nondiscriminatory treatment of all governmentally financed and operated facilities. (1993)
36. Supports the goals of increased investment in conservation, efficiency and renewable resources, but strongly opposes provisions of H.R. 2026 to eliminate the use of tax exempt financing for coal, oil, and nuclear power generation facilities and provisions unfairly benefiting the investor-owned utility sector and skewing the competitive balance between public and private power. (1993)
37. Supports practical, targeted changes to improve secondary market disclosure such as those recommended in the Joint Statement so that investors will receive necessary, timely and appropriate information. The Joint Statement represents a consensus by organizations representing market participants including APPA and is designed to improve municipal securities disclosure without imposing broad mandates that have little benefit and high costs. APPA continues to oppose costly regulatory actions or legislation that are not justified by added investor protection, or that impose undue burdens on issuers. (1994)
38. Will continue to work with market participants and the Securities and Exchange Commission to improve secondary market disclosure. (1994)
39. Continues to support the simplification of tax code provisions dealing with tax-exempt financing to eliminate unnecessary burdens on issuers of bonds. These changes, identified by the Anthony Commission and contained in H.R. 3630 include, among other things, the creation of a more workable safe-harbor provision from the arbitrage rebate requirements, the increase of the small-issuer arbitrage rebate exemption from \$5 million to \$10 million, the repeal of the discriminatory private-use restriction that applies to public power output facilities, an increase in the bank deductibility provision from \$10 million to \$25 million, and the indexing of the annual state volume cap allocation. (1994)
40. Expresses its appreciation to Representative Coyne for his leadership in proposing legislation to simplify the tax-exempt financing provisions of the tax code, and will work with Representative Coyne and others to eliminate unnecessary burdens on issuers of tax-exempt bonds. (1994)
41. Supports initiatives to assist state and local governments in financing federally directed infrastructure mandates, including initiatives such as the creation of Mandated Infrastructure Facility bonds that would not be subject to many of the recent tax code changes that have made the issuance and management of tax-exempt bonds more complex and costly, so long as the right to issue such bonds is restricted to states and units of local government and the facilities financed are owned and controlled by governmental issuers. (1995)

42. Should continue to work with other organizations with similar interests in tax exempt financing, including the Public Finance Network, to preserve tax-exempt financing, lift inequitable private use restrictions, and make clear to policymakers and legislators that tax-exempt bonds are not appropriate sources of funds for deficit reduction. (1995)
43. Should make clear to decision-makers and participants in any debate on the continued validity of tax-exempt financing that the increasing competitiveness of the electric industry bears no relationship to the rationale supporting tax exempt financing. Competition has been and will continue to be important in reshaping the industry, but competition has not changed and will not change the governmental nature of consumer-owned utilities. Therefore, increasing competition does nothing to undermine the bases for exempting public power bonds from taxation. (1995)
44. That if budget pressures or other events place public power's use of tax exempt financing in jeopardy, APPA, working with other aligned groups, must be prepared to identify areas where investor owned utilities enjoy tax advantages that correspondingly must be eliminated so that investor-owned utilities do not enjoy an unfair tax advantage. APPA should analyze such investor-owned utility financing instruments as accelerated depreciation, investment tax credits and access to municipal bonds. (1995)
45. That the APPA urges the IRS and Treasury to issue private use regulations that go as far as legally possible to mitigate the adverse consequences of the application of the private use rules in a competitive electric utility environment. (1997)
46. Urges the Internal Revenue Service to issue immediately technical corrections to the temporary private activity bond regulations on output facilities promulgated on January 22, 1998. (1998)
47. Opposes H.R. 3927 and similar measures that impose federal restrictions on the ability of units of state and local government to issue tax-exempt bonds. (1998)
48. Opposes S. 1483 and urges the Senate to withdraw the bill as it has already caused additional cost to municipal bond issues. (1998)
49. Urges the Administration and Congress to endorse the following principles: Any public power systems needing private use relief with respect to existing generation resources may receive such relief in return for an irrevocable decision not to use tax-exempt bonds for new generation (with certain limited exceptions). Those entities not exercising this option will retain the right to issue tax-exempt bonds, subject to private use limits, for all new generation. In any event, tax-exempt financing for all units of state and local government should remain available for transmission and distribution facilities and facilities that by their size or character are clearly intended to meet the needs of local constituencies. (1998)

50. APPA reaffirms its support for the continued ability of existing public power systems to use tax-exempt financing for electric distribution facilities. (2000)
51. Will work to protect the ability of existing public power systems to facilities—both in competitive and non-competitive situations, and in cases of system expansion—in all congressional legislation. (2000)
52. Urges Congress to repeal federal tax law restrictions that limit the ability of public power systems to take advantage of the lowest market interest rates, modern financing techniques and modifications to debt service payment schedules by issuing tax-exempt bonds to advance refund outstanding debt. The American Public Power Association will work to advocate removal of these restrictions and continue to work with others in the public finance community to inform Congress on the issue. (2002)
53. Supports federal legislation that would clarify that tax-exempt bonds issued after January 1, 1996 by a public power system, not on the national natural gas transportation system, to finance the purchase of a working interest in an operating natural gas field do not violate the investment property or private use restrictions in the Internal Revenue Code. (2002)
54. That APPA urges the Treasury Department and the IRS to permit prepayments for electricity and electric capacity financed on a tax-exempt basis. (2003)
55. That the American Public Power Association urges the Treasury Department to ensure that municipal bonds retain their clear exception from the definition of “tax shelter” under Circular 230 and remain outside the requirements of Circular 230. (2004)
56. That the American Public Power Association supports efforts to reduce the federal deficit.

That-the American Public Power Association opposes any effort to further limit the use of tax-exempt financing, now, or in the future.

That the enactment of other tax-related proposals affecting public power systems must not come at the expense of access to our traditional financing methods. (2005)
57. That the American Public Power Association supports appropriate regulatory or legislative language clarifying that the use of tax-exempt financing to acquire interests in existing natural gas fields is appropriate without regard to certain management, operating, royalty or other contracts that are in place at the time of the acquisition. (2006)
58. That the American Public Power Association (APPA) continues to oppose any efforts to limit the use of tax-exempt bonds by public power utilities to finance electricity infrastructure and other essential services, such as advanced communications services; and

That APPA supports legislation to provide adequate flexibility for public power utilities to partner with private entities in the financing and use of certain facilities and to oppose legislation to eliminate the ability to advance refund bonds; and

That APPA will continue to communicate to Congress that the use of tax-credit bonds is not an alternative to tax-exempt bonds for financing state and local activities, but instead

tax-credit bonds are a targeted way to achieve specific public policy goals -- like increasing renewable energy production. (2007)

59. That the American Public Power Association (APPA) will work with its members and the relevant policy makers to determine appropriate modifications to the arbitrage rules for tax-exempt bonds to allow the proceeds from investments to be used for worthwhile public purposes. (2007)

60. That the American Public Power Association (APPA) urges Congress to eliminate altogether or to substantially reduce the private use restrictions on tax-exempt bonds for financing transmission infrastructure. (2007)

61. That the American Public Power Association (APPA) urges the Federal Reserve and the United States Treasury, as they implement the Emergency Economic Stabilization Act of 2008, to provide access to credit for municipal bond issuers by extending the reach of recently created programs, such as the Commercial Paper Funding Facility; and

That APPA urges Congress to provide access to credit for municipal bond issuers in any additional economic stimulus or stabilization efforts in the 111th Congress (2009)

62. That APPA supports the reinstatement of the Build America Bonds program for ongoing improvement of local economic development, infrastructure and job creation. (2011)

63. That the American Public Power Association (APPA) continues to oppose any efforts to eliminate or limit the use of tax-exempt bonds by state and local governments or to change the ability of certain investors to claim the exemption; and

That APPA supports legislation to provide adequate flexibility for public power utilities to most effectively use tax-exempt bonds such as easing private use restrictions; and

That APPA will continue to communicate to Congress that the use of other types of bonds such as tax-credit or direct-pay bonds is not an alternative to other financing mechanisms such as tax-exempt bonds for financing state and local activities, but instead they are a targeted way to achieve specific public policy goals or provide a useful financing alternative. (2012)

64. That the American Public Power Association (APPA) continues to oppose any efforts to interfere in state and local governing decisions by taxing, wholly or in part, the interest on municipal bonds;

That because they will increase state and local borrowing costs and, as a result, costs for our ratepayers, APPA opposes any such new taxes, including:

- A surtax on municipal bond interest for bondholders with incomes above a certain level intended to “cap” the tax value of municipal bonds;
- A tax on municipal bond interest above a certain specified annual dollar limit, also known as a “flat dollar cap;”
- A tax on all municipal bond interest with the federal government to give issuers a partial reimbursement of interest expenses, i.e., a replacement of municipal bonds with “direct payment” bonds; and

- A tax on all municipal bond interest with the federal government to provide bondholders with a tax credit equal to a portion of the amount of interest paid, i.e., a replacement of municipal bonds with “tax credit” bonds; and

That APPA will work with all stakeholders to ensure that this important financing tool remains available for now and for future generations. (2013)

65. That the American Public Power Association opposes federal sequestration of credit payments to Build American Bond (BAB) and New Clean Renewable Energy Bond (New CREB) issuers; and

That APPA urges the Administration and Congress to take such steps as are necessary to prevent sequestration of BAB and New CREB credit payments to issuers (2014)

66. That the American Public Power Association (APPA) strongly supports making needed electric power system infrastructure investments necessary to safely, reliably, and affordably provide power to more than 49 million Americans served by public power utilities; and

That APPA strongly supports the continued use of tax-exempt municipal bonds to finance electric power infrastructure investments by public power utilities; and

That APPA adamantly opposes any effort to tax the interest paid on municipal bonds and, as a result, impede electric power infrastructure investments by increasing the cost of financing those investments. (2017)

67. That the American Public Power Association (APPA) strongly believes the federal government should not try to encourage, pressure, or otherwise incentivize states and localities to privatize public facilities, the cost of which would ultimately be paid by residents and business; and

That APPA would adamantly oppose any effort to impose pressure to privatize, whether by Executive Order, federal regulatory changes, or federal legislation. (2018)

68. That the American Public Power Association (APPA) strongly believes that tax-exempt municipal bonds have been, and will remain, the most powerful and effective tool for financing public investments in public infrastructure; and

That APPA believes that insofar as Congress wants to incentivize further investments in infrastructure, it should focus on improving this incredibly powerful financing tool with a municipal bond modernization agenda; and

That APPA believes that a municipal bond modernization agenda should reinstate tax-exempt advanced refunding bonds, increase the small-issuer exception from \$10 million to \$30 million, exempt payments to Build America Bond issuers from federal budget sequestration, and repeal outdated private-use rules. (2019)

MUNICIPAL BROADBAND & TELECOMMUNICATIONS

1. Urges the Congress and the Administration to develop and implement policies and legislation consistent with the following objectives:
 - Electric utilities should be neither precluded from nor mandated to provide broadband communications networks and services;
 - The option of public ownership of broadband communications networks and services must be preserved, and such publicly owned systems must have access to traditional methods of financing, including municipal bond financing;
 - As with publicly owned electric utilities, the regulation of local publicly owned communications networks should occur at the local level; and
 - Programs that provide federal funds for the demonstration of construction and operation of information infrastructure of provision of services over such infrastructure must be available equally to publicly as well as privately owned systems. (1994)
2. That the APPA urges the Federal Communications Commission, in implementing the Telecommunications Act of 1996, to resolve all questions of interpretation in ways that would permit and encourage public power systems to become fully engaged in providing telecommunications services. (1996)
3. APPA encourages the Bonneville Power Administration to continue to partner with public power systems in the Pacific Northwest for use of excess fiber optic capacity in order to provide essential telecommunications services to consumers. (2000)
4. APPA supports the unfettered right of any municipality or other political subdivision to provide competitive telecommunications services as provided under Section 253(a) of the Telecommunications Act of 1996. APPA urges Congress to preserve that plain meaning interpretation by opposing any changes to this section of the Act, that restrict the authority of municipalities or other political subdivisions to provide such competitive telecommunication services, and by reaffirming its intent that the definition of “any entity” includes local governments. (2001)
5. American Public Power Association (APPA) reaffirms its support of the role public power systems play in enhancing community services through the provision of telecommunications services.

APPA will oppose any federal legislation that would amend the Telecommunications Act of 1996 to inhibit the ability of public power systems to provide telecommunications services or to specifically require public power systems to have explicit state authorization to provide telecommunications services; and

APPA opposes any federal or state restrictions that would restrict public power through the imposition of requirements such as: imputation of costs that might have been incurred by private companies providing similar service; separation of local governmental entities; or limitation on the use of public rights-of-way. (2002)

6. American Public Power Association urges Congress to explicitly include public power systems and local governments as eligible entities in any legislation that provides federal assistance, such as loans and grants, for the planning and deployment of broadband services. (2002)
7. That APPA urges Congress and the Administration to continue to support the entry of any entity, including public power systems, into the marketplace for advanced communications services; and

That Congress should state in clear and unequivocal language that it supports the ability of municipalities to provide advanced communications infrastructure and services that meet essential community needs and promote economic development; and

That Congress should adopt pro-competitive policies that foster true competition in the advanced communications marketplace. Federal policy should encourage the deployment of competing broadband platforms including, but not necessarily limited to, fiber optic, power line, and wireless; and

That Congress should also implement policies that promote a competitive marketplace for advanced communications services delivered over broadband platforms, including voice over Internet protocol and other IP enabled services.; and

That Congress should strengthen consumer protections if a transition to competitive markets for advanced communications services is to succeed, including:

- Careful review and conditioning of mergers and acquisitions that reduce the number of competitors or create market power that interferes with effective competition;
- The elimination of artificial barriers to entry;
- Ensuring that low-income customers have access to essential services; and
- Providing regulatory agencies with the necessary authority and resources needed to adequately police markets to prevent monopoly pricing, including predatory pricing; and

That Congress preserve current federal law with regard to local control by public power systems over pole attachments and rights of- way. Public power systems should retain their ability to manage poles, ducts and conduits in safe, efficient and competitively neutral manner and to recover from users of these facilities the full costs associated with such use. Congress should not eliminate the “municipal” exemption to FCC rules and regulations.(2005)

8. That APPA urges Congress to update and reform retransmission consent laws; and

That Congress should eliminate the ability of media conglomerates from tying the availability of local broadcast signals to the carriage of affiliated cable programming; and

That Congress should give small cable operators, such as public power cable systems, the ability to find the most economical programming package for their customers that will keep cable rates affordable. (2006)

9. That the United States Senate should include a similar provision to Section 401 to facilitate and encourage the development of broadband services at a reasonable price for all consumers and remove state barriers to cities providing communications services. (2006)

10. That APPA supports open and competitive practices when it comes to providing video content for communities it serves.

That APPA supports and encourages the development of appropriate regulatory and legislative actions to provide competitive video providers in a single television market with equal access to network programming from local commercial television stations within that market.

That APPA encourages Congress and the Federal Communications Commission (FCC) to enhance their monitoring and oversight on issues of cable content and its pricing. (2008)

11. That the American Public Power Association (APPA) believes that broadband reporting and mapping should be a transparent process performed by government instead of private entities;

That any broadband mapping grant program enacted by Congress provide that only a state agency is eligible for the grants, and that any such grant is conditioned on state-level broadband mapping being a transparent process in which municipal utilities may equally participate; and

That the Federal Communications Commission adopt rules in Docket Number 07-38 to establish new national broadband mapping and reporting rules that are transparent, that appropriately define broadband, that differentiate between business and residential customers, and that provide due regard for the unique role of municipal utilities in meeting national broadband deployment objectives. (2008)

12. That the American Public Power Association (APPA) supports the development of a National Broadband Plan that is designed to drive the nation's broadband strategy and policies for the foreseeable future.

That APPA urges that any National Broadband Plan include the recommendation or advancement of policies to remove barriers to entry for any public provider in providing advanced communications services. (2010)

13. That the American Public Power Association (APPA) urges Congress to preserve current federal law regarding public power systems' local control over pole attachments. Congress should not eliminate the municipal exemption to FCC rules and regulations regarding pole attachments; and

That APPA urges the FCC to establish rates, terms and conditions for pole attachments that provide for full cost recovery and accounts for the regional differences in rates for constructing and maintaining poles. (2010)

14. That the American Public Power Association (APPA) urges the federal government to continue to play an important role in smart grid development related to coordination and research and development; and

APPA urges the various federal agencies involved in smart grid policy and standards development to better coordinate on policy and standard-setting efforts, including those in the area of cyber security, to ensure that the policies and standards they adopt are consistent and do not conflict; and

APPA believes that the issue of how best to protect retail consumer data collected in association with smart grid installations is primarily a state and local issue that should be dealt with by state and local governmental entities, with appropriate policy guidance from federal entities such as the Department of Energy; and

That APPA believes Congress needs to examine the need for dedicated spectrum for utilities. (2011)

15. That the APPA urges Congress, the FCC, and the Obama Administration to continue to support the ability of public power utilities to provide advanced communication services; and

That Congress should state in clear and unequivocal language that it supports the ability of local governments, including public power utilities, to provide advanced communications services that meet essential community needs and promote economic development and regional and global competitiveness (2014)

16. That the American Public Power Association (APPA) urges Congress to preserve established federal law regarding public power utilities' local control over pole attachments. Congress should not eliminate the municipal exemption to Federal Communications Commission (FCC) rules and regulations regarding pole attachments; and

That APPA urges Congress, if it introduces legislation addressing wireless pole attachments, to carefully balance the need for widespread wireless deployment with the unique safety, reliability, and cost considerations inherent in installing wireless infrastructure to utility poles.

That APPA urges the FCC, in any future action, to reject suggestions that it should regulate public power utility poles under any other section of the Communications Act which would be in plain contravention of federal law. (2017)

17. That the American Public Power Association (APPA) opposes the actions taken by the Federal Communications Commission (FCC or Commission) in its September 26, 2018, report and order to regulate public power pole attachments in contravention of the clear language in section 224 of the Communications Act that precludes the Commission from doing so; and

That APPA supports legislation to overturn the FCC's report and order issued on September 26, 2018, to restore local control of pole attachments. (2019)

18. That the American Public Power Association (APPA) opposes legislation or

regulations that would inhibit the ability of public power utilities to communicate with their customers using automated dialers for legitimate, service-related issues; and

That APPA urges the Federal Communications Commission and 53 Congress to improve protections for cell phone users against fraudulent communications. (2019)

19. That the American Public Power Association (APPA) has serious concerns with the Federal Communications Commission's (FCC or Commission) proposal to allow unlicensed devices to operate in the 6 gigahertz (GHz) spectrum band that could cause harmful interference to licensed private utility communications networks that are used to control and monitor transmission, generation, and distribution assets to ensure the safe and reliable delivery of power to homes, businesses, and communities; and

That APPA believes the FCC must conduct real-world testing of automated frequency coordination (AFC) technology before it decides to allow unlicensed devices to operate in the 6 GHz band to ensure unlicensed operations do not cause harmful interference to licensed utility communications networks operating in the band; and

That APPA would oppose an order issued by the Commission that 58 would allow unlicensed devices to operate in the 6 GHz band without demonstrating that AFC technology 59 will mitigate harmful interference to utility communications in real-world conditions. (2020)

NATURAL RESOURCES

1. Supports legislation prescribing a comprehensive, coherent and uniform policy with respect to U.S. participation in the development and utilization of hydroelectric power; and supports the "Water Resources Act of 1951" proposed by the President's Water Resources Policy commission. (1951, 1952)
2. Urges the Congress to authorize and direct the preparation of a long-range investment program for the conservation and development of the nation's natural resources under which construction of multiple purpose conservation projects would be expedited, and the necessary funds appropriate to accomplish this goal. (1958)
3. Urges adoption by the federal government of a capital budget which will reflect in a businesslike manner federal investment in wealth-creating, self-liquidating projects for development of natural resources and construction of power marketing facilities. (1958, 1959, 1960, 1962, 1963, 1964)
4. Endorses legislation to survey the U.S. electric power supply situation to assure development and organization of bulk power supply and for national planning and leadership in the conservation of the nation's natural resources. (1959, 1960, 1962, 1963, 1964)
5. Supports legislation for the conservation, development and utilization of the nation's natural resources to meet human, economic, and national defense requirements. (1961, 1962, 1963)
6. Supports enactment of legislation to encourage comprehensive and coordinated planning for the development of the nation's water resources, to meet growing human, economic and national security requirements. (1964)
7. Endorses the concept of a national "wild river" system; supports the criterion established by the Senate Select Committee on National Water Resources; urges mandatory public hearings in the affected region for all river reaches considered for designation as "wild"; recommends that proposals for designating rivers for inclusion in the "wild rivers" system be made only with supporting economic and other data in the same manner as proposals for undeveloped rivers to aid in identifying their most beneficial use; and believes that valuable multiple purpose sites needed for flood control and other essential purposes, including enhanced recreation, except in areas reserved for municipal water supply, should not be lost by perpetual exclusion for limited single-purpose usage. (1965)
8. Urges the Corps of Engineers to give greater weight to the theoretical or "design" maximum flood in planning flood control programs in view of new records floods in the West of 1964. (1965)
9. Supports establishment of a Department of Natural Resources which will efficiently coordinate federal natural resources and energy programs. (1971, 1972)

10. Endorses and urges passage of S. 2612, a bill cosponsored by Senator Randolph of West Virginia and Senator Jackson of Washington, which largely adopts the planning principles and standards for water resource projects proposed by the Water Resource council Task Force in 1969. (1972)
11. Adopts as policy the following recommendations:
 - (a) Land use planning is best accomplished at the local level following certain criteria developed at the state level to insure uniformity conforming to guidelines proposed nationally;
 - (b) Key facilities must be identified, recognized as having statewide significance, and permitted to develop under a statewide authority which may supersede local desires in order to eliminate a proliferation of review processes lacking ability to grant final approval; and
 - (c) The State agency with responsibility over land use decisions must be granted authority over other State agencies currently exercising partial control so that responsibility for such decisions can be clearly assigned. (1974)
12. Opposes legislation designed to foreclose balancing judgements, rather than facilitate them, and urges action (a) to exempt projects begun before passage of the Endangered Species Act; (b) to base the composition of the proposed interagency committee on a more rational balance of interests, such as including the Secretary of the Department of Energy and the Secretary of the Department of Commerce; (c) to base committee decision on a majority vote; and (d) to set criteria for exemption of projects which permit a meaningful weighing of factors affecting the public interest. (1978)
13. Urges the Secretary of the Interior to repeal procedures under the national Natural Landmarks Program on the grounds that they are unworkable, subjective and were issued in the absence of clear statutory authority. (1981)
14. Urges the Reagan Administration and the Department of the Interior to withdraw regulations imposing unreasonable impediments to the construction and operation of energy projects, and prior to their re-promulgation thoroughly analyze the statutory authority for and the necessity of such regulations. (1981)
15. With respect to social costing, supports:
 - a. The orderly and systematic evaluation of external impacts as one of the tools for planning in all sectors of the economy, including the delivery of electric service.
 - b. Recognition that the proper scope of externality assessment extends beyond environmental impacts to include benefits as well as costs.
 - c. The thorough evaluation of related societal and environmental costs and benefits when making decisions on the siting, construction, and operation of an electric power system.

And urges that:

- a. APPA should take a leadership role in advocating the ultimate development of a common method of evaluating externalities as part of the rigorous planning process for the siting, construction, and operation of facilities in all sectors of the economy, including the electric utility industry.
 - b. APPA recognizes that a common analytical methodology does not necessarily imply the adoption of common economic values for specific external impacts for all localities. While decisions taken by one locality may affect others, the basic political process to determine how these economic estimates are used is local. A common methodology permits interdependent localities to cooperate in the resolution of transboundary issues. (1992)
16. Opposes the proposed federal takeover of the Hetch Hetchy facility. (1995)
 17. That before any increase in payments from San Francisco is considered or demanded, there be a study of how existing payments compare to those made by other similarly situated entities (including in particular hydropower licensees) and that consideration be given to the broad-based public benefits that have been provided and will continue to be provided by San Francisco. (1995)
 18. That the American Public Power Association (APPA) supports swift enactment of the Wildfire Disaster Funding Act, or other similar wildlife funding mechanisms (both legislative and regulatory) to address the inadequate and inequitable funding to prevent and fight major forest fires. (2016)
 19. That the American Public Power Association (APPA) continues to support the language included in the Energy Policy Act of 2005 that requires any federal agency with jurisdiction over property on which electric transmission facilities are located, to work cooperatively with the owners and operators of the facilities to implement vegetation management procedures and standards for maintaining the reliability of the facilities and urges Congress to ensure that that language is being implemented appropriately;

That APPA supports policies that provide electric utilities with transmission and distribution lines located on ROW on federal lands with reasonable certainty that the approving federal agency will respond in a timely and consistent manner;

That APPA supports legislation that would provide electric utilities with a sensible framework to manage ROW on federal lands in a consistent and reliable manner, allow for procedures to reduce delays, modify rules on liability on an immediately adjacent to ROW, and allow for training of federal personnel to ensure consistency on ROW determinations; and

That APPA supports a federal policy (whether through legislation or rulemaking) that allows utilities to immediately remove vegetation from nearby federal land to protect the electrical infrastructure from impending damage and/or destruction in an emergency situation; and

That APPA supports a federal policy (whether through legislation or rulemaking) that ensures that a utility is not liable if the federal government fails to allow the utility to manage vegetation on or adjacent to the right-of-way. (2016)

20. That the American Public Power Association (APPA) supports active forest management by federal land management agencies, involving local/regional collaborations, to enhance the reliability of the electricity grid and reduce the threat of wildfires to hydropower facilities, electric transmission, and distribution facilities located on federal lands; and

That APPA supports efforts in Congress to redirect annual land use charges collected from hydropower project licensees to the licensees, to be used in collaboration with federal land managers, local government, and non-profit organizations, for projects to reduce the threat of catastrophic wildfire to hydropower facilities and to mitigate the adverse impacts to flow and water level management, wildlife, species management, and recreation in these critical watersheds; and

That APPA believes this approach supports hydropower project licensees with cooperative agreements or contacts with federal land management agencies to execute watershed management, right of way hazard mitigations, habitat protection, and restoration projects to mitigate the risk of wildfire and secure water supplies; and

That APPA supports efforts by Congress to enact legislation that would provide hydropower project licensees that use federal lands with additional resources to collaborate with federal land managers to protect critical watersheds. (2017)

21. The American Public Power Association (APPA) encourages Congress to pass legislation to improve the hydropower licensing and relicensing process; streamline the permitting process for interstate natural gas pipelines; and to facilitate vegetation management near electric facilities located on federal lands; and

APPA supports the inclusion of hydropower, pipeline, and vegetation management legislation into the energy title of an infrastructure bill. (2017)

22. That the American Public Power Association supports adequate funding for wildfire suppression to ensure existing forest management programs, including fire prevention and vegetation management practices, have the resources necessary to be implemented effectively, promote forest health, and reduce wildfire risk. (2019)

23.

NUCLEAR

1. Wholeheartedly endorses the declaration of policy set forth in section 1801 of the Atomic Energy Act, as follows:

"Accordingly, it is declared to be the policy of the people of the United States that, subject at all times to the paramount objective of assuring the common defense and security, the development and utilization of atomic energy shall, so far as partipicle, be directed toward improving the public welfare, increasing the standard of living, strengthening free competition in private enterprise, and promoting world peace."
(1953)
2. Urge upon the Congress of the United States that it authorize the AEC to construct an atomic powered electric generation plant of not less than 100,000 kw to furnish a portion of the power requirements of AEC's own installations, and to further explore and demonstrate the economy of large scale central station production of atomic power.
(1955)
3. Urges the Atomic Energy Commission to develop low cost atomic reactors to produce electric power economically for units as small as 5,000 kw. (1955, 1958, 1959, 1960, 1961, 1962, 1963, 1967)
4. Urges the Department of the Interior or other appropriate federal agency be empowered by Congress to provide for the marketing and wheeling of this power to the preference customers involved. (1956)
5. Urges the U.S. Government to adopt a clear and positive policy and program for developing atomic power and established objectives for an accelerated effort and urges the government to undertake in the public interest the construction of atomic power plants of representative sizes and types, both large and small, in addition to the projects under way or proposed under the present demonstration program. (1956, 1958, 1959, 1960, 1961, 1962, 1963)
6. Urges the Congress to amend the Atomic Energy Act of 1954, and specifically Section 153 (H) of that Act, to extend the government's authority to compel the cross-licensing of privately owned patents in the atomic energy field for an indefinite period, and to simplify and strengthen the patent cross-licensing provisions of the Act. (1958, 1959)
7. Urges the early authorization and installation of power-producing features for the Hanford Convertible Reactor in order to achieve the full benefits of low-cost plutonium and power production and that the dual-purpose plant be utilized fully as an atomic power plant training and information center for the Pacific Northwest. (1959, 1960, 1961, 1962, 1963)
8. Recommends that Congress prepare standards regarding state workmen's compensation programs for workers in atomic energy industries, but believes that the specific handling of compensation should remain under the laws of states in which such industrial plants

- operate, and that local public power systems should work with their state governments to enact and to improve workmen's compensation laws related to nuclear power. (1961, 1963, 1964)
9. Endorses active efforts on the part of the appropriate government agencies to carry forward a research and development program designed to determine the usefulness of nuclear dual purpose power and desalinization plants. (1964)
 10. Urges the Atomic Energy Commission to accelerate significantly efforts to achieve an early demonstration of reliable and economically competitive high breeder reactors through cooperative programs with electric utility systems and make maximum use of the proven competence of these systems in this country's atomic energy development. (1965)
 11. Urges the Atomic Energy Commission to expand its efforts to standardize and accelerate the licensing of nuclear power reactors while assuring adequate public safeguards. (1967)
 12. Opposes any amendments of the Atomic Energy Act which would diminish the antitrust duties of the Justice Department as outlines in section 105 of the Act, or weaken the licensing preference provision in section 182 of the Act. (1967)
 13. Urges that legislation be enacted to authorize the Power Authority of the State of New York to construct and operate nuclear power plants with assurance that the output will be marketed at the lowest possible rates to the widest feasible market with preference to public agencies and rural electric cooperative. (1968)
 14. Urges enactment of legislation which would insure that all electric utilities have an opportunity to participate directly on a fair, reasonable, and non-discriminatory basis in the ownership, operation, and output of nuclear power plants. (1968)
 15. Policy on uranium enrichment facilities shall be that (1) APPA urges, as its first preference, that responsibility for providing uranium enrichment services be continued in the Atomic Energy Commission and that improvements in the existing plants and construction and operation of a fourth plant be financed from congressionally authorized and appropriated funds with resultant revenues from sales accruing to the federal treasury; (2) if retention by the government appears infeasible to the Atomic Energy Commission or to the Congress, particularly because it is concluded that funds will not be provided through appropriations to satisfy demands for uranium enrichment capacity, APPA then proposes that Congress create a federal corporation to take over existing plants and to provide the necessary new facilities, and that the corporation be granted authority to use its own revenues and to secure funds from public borrowing for these purposes; and that APPA supports the position that research and development in the field of uranium enrichment and such other related activities as are essential to the national security be retained by the Atomic Energy Commission. (1969)
 16. Supports amendment of Section 170(C) of the Atomic Energy Act of 1954, as amended, to change the date appearing therein of August 1, 1977, to August 1, 1987, to secure other legislation having the equivalent effect of extending the protections afforded by Price-Anderson Indemnity Program. (1973)
 17. Supports (a) use of predesignated sites and plant standardization, coupled with early antitrust, safety, environmental, and safeguard review, to reduce time schedules for nuclear

- power plants; (b) development of a single composite application which would be the sole application required for federal approval and designation of the Nuclear Regulatory Commission as lead federal agency in handling of the application; (c) creating of priorities and deadlines for regulatory action; (d) establishment of cooperative state-federal procedures aimed at elimination of regulatory duplication, such as the preparation of separate environmental impact statements; (e) initiations of federal development of uranium located on federal lands; (f) continuation of R&D expenditures to insure the maximum possible safety, reliability, and efficiency of nuclear power plants. (1975)
18. Urges that Congress (a) authorize and approve financing for a fourth federal gaseous diffusion plant, funded by appropriations or through creation of a federal corporation with ability to use its own revenues and to secure capital from public borrowing, as the next immediate sources of domestic uranium enrichment service; (b) reject proposals for federally subsidized privately owned commercial gaseous diffusion plants; (c) support demonstration of entrifuge technology though a federal program as provided in the Atomic Energy Act; and (d) encourage exploration of other new uranium separation technologies. (1976)
19. Urges that the Congress appropriate and the President spend funds needed to maintain optimum progress in the U.S. breeder reactor program, including the Clinch River demonstration project. (1977)
20. Applauds President Carter's directive calling for streamlining and speeding up the licensing process for nuclear power plants consistent with the public interest in economic and environmental protection, and offers its wholehearted cooperation in tackling this task. (1977)
21. Supports the "Nuclear Siting and Licensing Act of 1978" and suggests that the legislation would be improved by:
- (a) Providing that the Nuclear Regulatory Commission shall determine the "need for power" from a nuclear power plant in the event of dilatory state action and in the event of multi-state involvement or a conflict between a state agency and a local public power system participating in a joint venture project.
 - (b) Eliminating funding for intervenors but insuring that the NRC has adequate resources to explore all pertinent issues and protect the public interest.
 - (c) Establishing enforceable priorities and deadlines for specific regulatory actions.
 - (d) Requiring that qualifying states take all and not just part of the responsibility for the National Environmental Policy Act, and that a single state agency be designed to perform this function. (1978)
- 22.
- (1) Supports fully a complete fact-finding investigation of the Three Mile Island accident by the Congress and the Executive Branch, and the full disclosure of all resulting information to the public for the purpose of analyzing the impact and policy implications of the occurrence;
 - (2) Believes that the federal government should take whatever prudent and practical steps are supported by the facts as necessary to safeguard the public interest in connection with nuclear power;

- (3) Endorses the formation and efforts of the Nuclear Safety Analysis Center, related by the Electric Power Research Institute, and argues that APPA members contribute funds to support its activities under the direction of the EPRI Board of Directors as a means of developing further facts and guidance for utilities in dealing with nuclear power.
 - (4) Supports the continued operation of existing nuclear power plants and construction of presently planned units, with whatever modifications in operation or design are needed in light of Three Mile Island to properly protect workers and the public, so that consumer interest in continuity and cost of electricity will be served.
 - (5) Recommends that all local public power systems evaluate future commitments to nuclear power for the purpose of weighing the economics of this form of generation recognizing that each local publicly owned electric utility will make its own decisions on initiating construction or maintaining ownership of new nuclear facilities on the basis of evolving national policy, consumer interest, and case-by-case considerations of the viability of nuclear power vis-a-vis alternatives which, like nuclear power, present both benefits and risks;
 - (6) Endorses the following recommendations of the APPA Nuclear Power Task Force;
 - (a) Creation of a National Academy for Reactor Operators to provide a federally certified, utility-operated and financed center for training of nuclear power plant personnel.
 - (b) Provision of adequate funds and staff for the Nuclear Regulatory Commission to implement any steps required to deal with public health and safety problems which may be revealed by investigation of the Three Mile Island accident, but opposition to a statutory moratorium on licensing of nuclear power plants.
 - (c) Establishes as a condition of licensing that nuclear power plant owners demonstrate immediate availability of outside expert aid in the case of an emergency such as triggered by the Three Mile Island accident, but rejection of a Nuclear Regulatory Commission takeover is such a situation.
 - (d) Expansion of (1) communication between nuclear power plants and local, state and federal officials responsible for public health and safety, (2) off site monitoring of radiation releases, and (3) Nuclear Regulatory Commission resident and/or regional plant inspections.
 - (e) Promulgation of Nuclear Regulatory Commission standards for emergency evacuation plans, and adoption by the states of plans which are in accord with the standards.
 - (f) Monitoring of application of the Price-Anderson Nuclear Insurance and Indemnity Program to the Three Mile Island accident to assess its workability and adequacy.
 - (g) Exploration of a mutual insurance program which would further spread the risk of damage to a utility's nuclear power plant over the entire population of utilities operating such plants.
 - (h) Study of exposure to low-level radioactivity in the vicinity of the Three Mile Island plant and monitoring of clean-up activities for the purpose of insuring proper protection for the public and plant worker at all nuclear power plants.
- (1979)

23. Supports legislation to set up a system for storing spent nuclear fuel and radioactive waste. (1979)
24. Endorses the views of the APPA Task Force on the financial impact of Three Mile Island as follows:
1. NRC holds a key role in determining the financial fate of general public utilities, and can aid the utility by (a) authorizing start-up of the undamaged TMI-1 as it has allowed similar Babcock and Wilcox Reactors to return to service following post-TMI corrective actions; (b) expediting regulatory actions relative to the cleanup at TMI-2; and (c) facilitating removal, transport, and storage of radioactive water from the TMI plant.
 2. Pennsylvania and New Jersey Public Service Commissions should take appropriate regulatory action to (a) recognize the value of TMI-1 when it is placed in service and (b) permit rates adequate to cover cleanup costs at TMI-2.
 3. Utilities could secure valuable "self insurance experience" by loaning personnel to GPU to aid in the TMI cleanup, and such action might mitigate risks at all nuclear power plants and help lower insurance rates, but individual utilities should not be compelled to collect dollar contributions from their customers to finance the cleanup.
 4. The Department of Energy should provide "research and development" assistance to GPU with resultant information made available to utilities and the public, and DOE should help in the removal, transport, and storage of radio-active waste.
 5. Private nuclear property damage insurance coverage should be expanded to the level of \$500 million by commercial companies, who claim the capacity to do so, and this development should be coupled with a utility retrospective premium adjustment program which would assure an annual payout of a specified amount above that level in the event of a cleanup requirement in excess of \$500 million. This approach would (a) make federal legislation unnecessary and leave risk sharing in the non-federal sector, (b) acknowledge the remote possibility of major accidents but provide a nuclear utility "safety net" in case of a catastrophic loss, and (c) protect consumers who may be served by a utility which suffers a future accident but without large insurance premium outlays.
 6. Federally administered or legislative action should be considered if it is necessary to mandate nuclear utility cooperation or override other obstacles to a prudent approach to protecting customers against future utility property loss. A federally prescribed property insurance program might be patterned on the existing Price-Anderson public liability program. (1981)
25. Urges Congress to enact legislation which would permit the treatment of monies received as co-owner or ratepayers contributions to nuclear power plant decommissioning funds authorized by regulatory commissions as current deductible expenses, and treat interest earned on such funds as tax exempt, and that such legislation should provide publicly owned utilities who share ownership of nuclear power plants with the opportunity to establish their own decommissioning funds. (1984)
26. Believes that the limitation on liability is an essential provision of Price-Anderson, but recognizes the desirability of a reasonable increase in the level of the limit. (1985)

27. Continues to support the regulation of nuclear power by the United States Government; and continues to support the licensing for the construction and operation of nuclear power plants by the Nuclear Regulatory Commission, including the evacuation plans necessary for the safety and health of those living in the evacuation zone. (1987)
28. State governments not be permitted effectively to veto the licensing of nuclear power plants by not cooperating in the formation of evacuation plans. (1987)
29.
 1. Reaffirms support for the permanent repository endorsed in the NWPA, which includes a site selection process for two repository sites and a study for a monitored retrievable storage (MRS) facility;
 2. Urges DOE and Congress to take appropriate action to ensure timely completion of a permanent waste disposal program;
 3. Asks DOE to calculate an equitable and appropriate share of the cost of the program for defense waste so that such fees can be collected as soon as possible. (1987)
30. Supports extension for 20 to 30 years of the Price-Anderson Act beyond August 1, 1987, an increase in liability coverage not to exceed \$6.5 billion, an annual cap on retrospective premiums, indexing of liability coverage to keep pace with inflation, and retention of the current statute of limitations. (1987)
31.
 1. Urges continued federal support for an adequate research and development program to make domestic enrichment technology more efficient, cost-effective, and competitive.
 2. Opposes any efforts to impose domestic usage requirements on utilities or to tax or restrict imports of foreign enriched uranium.
 3. Supports continued enrichment of foreign uranium at DOE facilities.
 4. Recognizes utility responsibility to contribute an equitable share of the costs for reclamation of mill tailing sites and supports proposals to fairly apportion clean up costs among utilities, site owners, states, and the U.S. Government, establishing a \$300 million contribution level from utilities on the condition that a \$350 million cap be set on the amount to be paid by utilities for unrecovered enrichment service costs. (1987)
32. Opposes an NRC user fee increase above 33 percent of NRC'S budget and urges that any user fee be tied to the specific regulatory service provided rather than to flat fees or fees arbitrarily set to recoup budget expenses. (1987)
33. Continues to support legislative initiatives to establish expedited procedures for siting and licensing future nuclear power plants, without detriment to public health and safety. (1987)
34. Urges the United States Congress to enact technical changes to the Tax Reform Act of 1986 which would allow municipal electric systems to advance refund bonds that were issued to further the stated policy of the United States Government on the same basis as advance refunding by other entities that were similarly treated under prior law. (1987)

35. Opposes suspension of antitrust provisions in nuclear licenses as adverse to public policy and contrary to the clear congressional intent established in the amendments to the Atomic Energy Act of 1970. (1988)
36. Urges the NRC to deny requests to escape antitrust licensing conditions imposed on the Perry and Davis-Besse nuclear plants, or any other nuclear plants. (1988)
37. Urges the Nuclear Regulatory Commission to issue a full power license for Seabrook at the earliest possible date. (1990)
38. Urges the House and Senate conferees on the comprehensive national energy policy act to resolve their differences on nuclear power and support the Senate provisions on uranium enrichment the House provisions on expediting the development of a nuclear waste repository. (1992)
39. Supports expeditious creation of state or regional disposal facilities for low-level radioactive waste in accord with congressional directives and supports efforts to reopen the Low-Level Radioactive Waste Policy Act when consensus exists among those parties responsible for creating low-level waste. (1993)
40. Urges the Nuclear Regulatory Commission to amend its regulations to recognize new technological developments by specifically addressing the inclusion of above ground disposal in engineered barriers. (1993)
41. Urges DOE to develop and implement immediately a spent fuel management system that includes:
 - A central federal facility for permanent disposal;
 - A central federal facility for interim storage until the permanent facility is ready;
 - A transportation plan and facilities to move spent nuclear fuel from the reactor sites to the storage and disposal facilities; and
 - A nuclear waste packaging system that utilizes a uniform, multipurpose container for both transportation and storage of spent fuel that can be integrated with the ultimate disposal system for the spent nuclear fuel. (1995)
42. Urges Congress to revisit its spent nuclear fuel program and clarify, as necessary, DOE's responsibilities to begin accepting spent nuclear fuel by January 31, 1998, for ultimate federal disposal. (1995)

43. Encourages Congress (1) to legislate a program for implementation of an integrated spent nuclear fuel management system that includes centralized, interim storage that will not result in any increased costs or fees to the nuclear utilities or their ratepayers; (2) to remove any obstacles that may impede DOE either from developing or implementing a centralized federal interim storage facility, or from completing site characterization, licensing, construction, and operation of a permanent repository, and (3) to make Nuclear Waste Fund moneys available as needed for program purposes. (1995)

44. Committed to working with Congress and the department to identify realistic solutions to the mounting nuclear high-level waste problem. (1995)

45. That the American Public Power Association (APPA) urges Congress to fully fund the completion of the Yucca Mountain nuclear waste repository on an accelerated basis from the nuclear waste trust fund account; and

That the funds in the Nuclear Waste Fund should not be diverted to fund any other programs, including GNEP. (2006)

46. That the American Public Power Association (APPA) supports efforts to provide the NRC with all the regulatory and statutory tools necessary to streamline the licensing of advanced nuclear generating facilities so as to shorten the time necessary to win final approval of an application for the operation of a new nuclear unit; and

That APPA urges the Congress to pass legislation that may be necessary for the NRC to set in place a standard regime for the licensing of new nuclear plants that takes into account the “standard design” components of applicants so as to shorten the lengthy review process for the granting of final operating licenses; and

That APPA urges the responsible federal agencies, including the Department of the Treasury, the Department of Energy and the Nuclear Regulatory Commission, to take steps to promptly implement the provisions contained in the Energy Policy Act of 2005 to encourage the development of advanced nuclear generating facilities and for Congress to fully fund these provisions; and

That APPA urges the Congress to provide a comparable incentive to the production tax credit available to investor-owned utilities for public power systems to invest in building new generation nuclear plants and to reinstate the advance antitrust review for new nuclear plants eliminated in EAct05. (2007)

47. That the American Public Power Association (APPA) urges Congress to modify the production tax credit for nuclear facilities to permit a public power system or cooperative to transfer or sell its allocation of these tax credits to an investor-owned utility (IOU) project co-owner in a manner agreeable to each party; and

That APPA commends the Senate Energy and Natural Resources Committee for addressing the “undivided interests” issue and urges Congress to pass this legislation; and

That APPA urges DOE's Office of General Counsel to revisit the issues surrounding "undivided interests" in the absence of legislation. (2009)

48. That APPA stands ready to work with the Department of Energy, the Administration, and Congress to implement the BRC recommendations to advance the nation's economic, energy, environmental and national security imperatives by creating a sustainable, integrated, used nuclear fuel management program; and

That APPA agrees with the BRC's eight key recommendations, and believes that three recommendations, in particular, should be given high priority:

- Assured access by the nuclear waste management program to the revenues generated by consumers' continuing fee payments and to the balance in the Nuclear Waste Fund;
- Prompt efforts to develop one or more consolidated interim storage facilities; and
- Create a new, congressionally chartered federal corporation dedicated solely to implementing the waste management program and empowered with the authority and resources to succeed. (2012)

49. That the APPA supports federal efforts to further the development of SMRs, including the licensing and commercialization of SMR technologies for the use of electric utilities in the US; and

That APPA supports legislation, programs, incentives, and initiatives that help facilitate accelerated SMR development and commercialization (2014)

50. That the American Public Power Association (APPA) reiterates its strong desire that Congress should modify the production tax credit for nuclear facilities to permit a public power utility or cooperative to reallocate its allocation of the production tax credit to an investor-owned utility project co-owner or an entity engaged in the design or construction of 27 the project in a manner agreeable to each party; and

That APPA urges Congress to allow the nuclear production tax credit to be claimed for the full 6,000 megawatts of new capacity as Congress intended by eliminating the placed in service deadline for the nuclear production tax credit. (2016)

PREFERENCE

1. Reaffirms and re-endorses the said Preference Clause to assure that all possible from federally produced power be for the benefit of the ultimate consumers. (1950)
2. Believes the federal government should construct and own any transmission lines economically necessary for the proper integration and operation of these federally owned power generating plants; public agencies and cooperatives should (if they desire) have a preferred right to construct transmission lines from these power plants and integrating lines, and such agencies should be willing to provide transmission upon reasonable terms to other public agencies and cooperatives within the area of these lines, and thus afford them access to federally produced power; and where existing transmission facilities are available for connection to these power producing plants and integrating transmission lines, and have excess capacity available, and the owners of such lines are willing to enter into transmitting agreements, such agreements should be entered into; provided however, that:
 - (1) such agreements will result in federally produced power being made available to preference users, at more remote points, and at costs not higher than would result from the construction of transmission lines to these preference customers by the federal government or by public agencies or cooperatives;
 - (2) that such agreements will not impose upon preference customers, the federal government or anyone who may purchase this power, any costs, charges or penalties not directly a part of the cost of transmission;
 - (3) that such agreements shall not include any repudiation or limitation, by inference or otherwise, of the preference rights of public agencies or cooperatives to obtain federal power;
 - (4) that in any such agreement the participation of the transmitting agency is clearly recognized and defined as that only of a "contract carrier." Services rendered beyond transmission service are proper subjects of mutual agreement. (1950)
3. Urges the Congress of the United States to enact legislation without further delay authorizing the construction of St. Lawrence Power Project, and that the benefits from the project be made available to the ultimate consumer in accordance with principles of existing Federal Power Policy. (1951, 1952)
4. Urges the earliest practicable development of the power potential of the St. Lawrence River, and that in marketing the power produced, preference be granted to public agencies and cooperatives. (1953, 1954)
5. Reaffirms and restates its belief in the fundamental soundness of the preference provision; endorses the preference provision in its requirements that: (a) preference to public agencies and cooperatives be recognized within each classification of power sold, namely, firm, secondary and dump; (b) a reasonable time be afforded public agencies to contract for power before it is made available to private companies; (c) the federal government encourage arrangements between local agencies which will bring benefits of federal power to all preference customers in the area on an equitable basis. (1953)

6. Registers its opposition to the execution by the Department of the Interior of any contract with privately owned electric power companies which does not allow the power consumer to choose his source of power supply, and which does not make power available to preference customers through a mutually agreeable wheeling arrangement, or through some alternate means which preserves to those preference customers the full benefits, both present and future, as to availability and cost to which they are justly and legally entitled. (1953)
7. Reaffirms and restates its belief in the fundamental soundness of the public preference or owner's rights to publicly developed electricity from federally licensed waterways, and urges that appropriate legislation be enacted by the Congress requiring the Federal Power Commission to include in such licenses granted to public agencies a provision for the maintenance and carrying out of these preference or owner's rights in the marketing and sale of electricity so produced. (1954)
8. Favors transfer of the ownership and operation of federally owned power transmission facilities to a state power authority or a publicly owned agency in those cases in the Pacific Southwest where such transfer will be in the best interests of the power users served by such facilities, provided: (1) that the preference rights of publicly owned electric utilities and cooperatives in the service area shall not be adversely affected by such transfer; (2) that the federal government shall be paid the full amount of any remaining unamortized construction cost of such facilities. (1955, 1956, 1957, 1958)
9. Reaffirms its endorsement of the preference clause and opposes S. 2206 and the Case amendment to the Omnibus Rivers, Harbors and Flood Control bill, S. 497. (1958)
10. Reaffirms its opposition to actions, legislative or administrative, which detrimentally affect the traditional antimonopoly or preference clause concerning the marketing of power from projects constructed with Federal funds. (1959, 1961, 1963, 1964)
11. Opposes any proposal to grant private power companies a statutory reservation of power at federal projects contrary to the traditional preference clause principle. (1963, 1964)
12. Urges recognition of the value of peaking power at present and future federal hydro projects, recommends that generating units be added to existing federal dams to take advantage of peaking potential, and declares that such peaking power should be marketed in a manner which will insure maximum usefulness to preference customers. (1966)
13. Urges the Secretary of the Interior to adopt a policy of providing an engineering and economic analysis of each major power contract proposed by a federal power marketing agency to show the purpose of the contract and the economic effect over the life of the proposed contract, and to furnish a copy of this analysis to each of the parties directly affected and to the public generally and to permit a reasonable period for comments; and recommends that the Secretary of the Interior incorporate into the declared federal power policy of the Department of the Interior a set of criteria or standards for power pooling, exchange, or coordination contracts which will achieve benefits to preference customers not less than would be achieved by a federal transmission system at federal cost; and urges the Southwestern Power Administrator to insure that any proposed SPA-company contract (a) include all present and future public and cooperative electric systems in the entire SPA marketing area including Louisiana and Kansas; (b) incorporate provisions for standby

- power to preference customers; and (c) provide for wheeling and interchange among preference customers and SPA. (1966)
14. Opposes legislation which would deprive the Federal Power Commission of its authority under the Federal Power Act to regulate the terms under which electric energy generated at hydroelectric generating plants may be sold, and further states its opposition to this or any action by the Congress authorizing the construction of hydroelectric generating facilities from which the so-called "preference clause" is omitted. (1967)
 15. Opposes any amendments of the Atomic Energy Act which would diminish the antitrust duties of the Justice Department as outlines in section 105 of the act, or weaken the licensing preference provision in section 182 of the Act. (1967)
 16. Urges that legislation be enacted to authorize the Power Authority of the State of New York to construct and operate nuclear power plants with assurance that the output will be marketed at the lowest possible rates to the widest feasible market with preference to public agencies and rural electric cooperative. (1968)
 17. Reaffirms its opposition to actions, legislative or administrative, which detrimentally affect the traditional anti-monopoly or preference clause concerning the marketing of power from projects constructed with federal funds, and calls on the Bureau of Reclamation and the Department of the Interior to give active support to the preference clause in federal power marketing programs to insure that this statutory protection is fully reflected in the disposal of any power sold by federal power marketing agencies. (1970)
 18. Endorses the concept of the established hydro-thermal accord and the net billing arrangement between the federal power system and the publicly and consumer-owned utilities in the Pacific Northwest in order to integrate power produced by non-federal publicly financed generating plants with the hydro-electric power produced by the federal power plants and with the sale of such power under the established rates, contracts and preference clause of the Bonneville Power Administration. (1970)
 19. Supports an amendment to the Geothermal Power Act of 1970 expressly extending the preference clause now existing in the Federal Power Act and the other preference laws to the Geothermal Power Act of 1970. (1973)
 20. Supports construction of a second powerhouse and generators at McNary Dam with financing by federal appropriations, and believes that all power generated should be sold with full preference rights reserved for consumer-owned power distributors in the Pacific Northwest. (1975)
 21. Opposes legislation that would subordinate to other entities the entitlement of consumer-owned utilities to low cost federal power, or that would result in the federalization of plants owned by local public agencies. (1978)
 22. Supports the concept of regional power plans which are consistent with the existing preference laws, fair to existing and future preference customers, stand on their own merits under the existing and future preference customers, stand on their own merits under the existing antitrust laws and policies, embody traditional federal rate-making policies and practices for pricing of federal power pursuant to now existing antitrust laws and policies,

embody traditional federal rate-making policies and practices for pricing of federal power pursuant to now existing applicable law, and permit power pools involving the sale of various power resources from various parties. Specifically, the Association:

- (1) Endorses the concept of a regionally-coordinated conservation program under established standards adopted by the individual states, and the concept of providing federal funding for direct electric energy conservation activities;
 - (2) Endorses the concept of purchase on non-federal power by the Federal Power Marketing Agency, the Bonneville Power Administration, with provision for resale of both federal and such non-federal power in accord with the applicable federal preference law
 - (3) Approves the establishment of a regional utility planning organization to provide necessary joint regional load and resource forecasts; to designate, under appropriate standards, those generating plants to be constructed as a source of power to be purchased by the Bonneville Power Administration for regional power supply needs; and to provide joint regional utility overview on the construction and operation of such designated generating plants;
 - (4) Approves the concept in the proposed Pacific Northwest legislation which assures continuation of the use of tax-exempt revenue bond financing by the local governmental utilities which will construct and operate generating plants in connection with the regional power supply program, and in this regard, the committee supports provisions that retain the cost and benefits of public financing to the participating consumer-owned utilities;
 - (5) Endorses the concept that all resources available to the Bonneville Power Administration from federally owned facilities and from "net-billed" facilities as authorized by congress are subject to the preference and priority provisions of the Bonneville project act of 1937, estimated at 9500 average mw;
 - (6) Endorses the policy of marketing all preference resources of under traditional federal rate-making policies and practices for the pricing of federal power pursuant to now-existing applicable law, including estimated revenue from nonfirm power;
 - (7) Endorses the concept of allocating a fixed amount of resources equal to the firm energy capability of the hydroelectric generating resources of the Federal Columbia River Power System (approximately 6900 average mw) to publicly and cooperatively owned utilities which accept a full public utility responsibility to supply power to a classes of customers, including domestic and rural, in their service areas, and to publicly and cooperatively owned or non-profit wholesale power supply organizations which serve such utilities;
 - (8) Further endorses provisions: (a) for re-acquisition of all preference power by publicly and cooperatively owned utilities upon the expiration of the power supply contracts to be executed under S. 2080/H.R. 9020; and (b) to assure that the act shall in no way affect preference or the federal power marketing laws. The Association will not
 - (9) abandon its historic position with respect to the sale of federal preference power, the application of the federal antitrust laws, and the formation of new publicly and cooperatively owned electric utilities. (1978)
23. Believes the Congress should enact appropriate legislation to prohibit the financial losses which have been incurred, or will be incurred, as a consequence of the contract between the Southwestern Power Administration and Arkansas Power and Light Company and Reynolds Aluminum Company, from being extracted from the preference customers of the

Southwestern Power Administration through its rates under which Federally generated hydroelectric power and energy is sold. (1979)

24. Expresses strong opposition to any study by the Corps of Engineers which assumes its conclusion before being made and which exceeds the jurisdiction and responsibility of the Corps by examining power marketing policy issues which are within the jurisdiction of the Department of Energy; and condemns the characterization of the preference principle as anachronistic which characterization completely ignores the continued validity of the preference principle as a means of preserving healthy diversity in the electric utility industry and as providing a "yardstick" to measure the performance of investor owned utilities; and further condemns the proposition that the hydroelectric resources of the federal government should be priced at an artificial level designed to maximize profits rather than insure the most widespread use of such resources at the lowest possible cost as required by federal law. (1979)
25. Finds that the extension of the licensing preference to rural electric cooperatives is fully consistent with the philosophy of the preference principles, and supports legislative efforts to extend this preference to rural electric cooperatives. (1981)
26. Supports expedited licensing procedures for hydroelectric projects, including licensing exemptions, only if such procedures fully protect municipal preference. (1981)
27. Opposes legislation authorizing the Federal Energy Regulatory Commission to waive hydroelectric licensing requirements in connection with applications for, or amendments or notices of, a permit, license or exemption for an existing or proposed water project if the total installed capacity of the project upon completion is equal to or less than 15 megawatts, and urges the Congress to amend the measure to preserve state and municipal preference to the nation's hydroelectric resource. (1981)
28. Opposes legislation which attempts to destroy or modify the preference of municipalities in receipt of permits and licenses. (1982)
29. Believes that the proposal to create a Residential and Rural Energy Authority in New York and spread this concept to other states is clearly contrary to the traditional concept of preference and to the public interest. (1982)
30. Urges the Congress to eliminate this artificial restriction on sales of surplus TVA energy and capacity to permit TVA to offer surplus energy and capacity to interested purchasers, subject to the preference clause. (1982)
31. Expresses its strong and continuing support for the policies underlying the application of the federal preference laws, finds that these policies are as valid in the 1980's as they were when enacted and consistently reenacted over the past 75 years, and will commit its full resources to oppose all efforts to subvert the preference laws. (1983)
32. Continues to vigorously support federal development of hydroelectric projects, but also finds that the non-federal financing/public marketing of hydroelectric power produced at existing federal dams may represent a reasonable supplement to federal development of such projects which preserves the preference rights of all preference customers, and urges

the Congress to pass legislation which would permit this additional approach to be implemented on an experimental basis. (1983)

33. Urges the Commission to guard against dilution of preference and the elevation of form over substance by establishing criteria for requisite control which squarely place the ownership of licensed hydro projects in the hands of the municipal applicant, and that such criteria should include site and facility ownership, project operation, and the municipality should be the primary beneficiary of the project, either by distribution of substantially all of the output of the project or receipt of substantially all of the output of the project or receipt of substantially all of the profits on sales of power to third parties. (1983)
34. Supports the Electric Utility Competition Act, and urges Congress to enact legislation to extend the Federal Power Act's preference to rural electric cooperatives and provide for an antitrust review at the time of relicensing; and commends Rep. Albert Gore, Jr. for his consistent defense of the public power preference principle. (1984)
35. Reaffirms its strong support of preference for consumer owned electric systems in the marketing of federal power and the licensing and relicensing of hydroelectric projects, and vigorously opposes any legislation, including H.R.4402, which would diminish or eliminate this preference. (1984)
36. Vigorously supports federal financing and development of all economically viable hydroelectric projects at both federal dams and at undeveloped and underdeveloped sites, but recognizes that in some cases alternatives to federal development must be found; and, in the absence of federal funding, supports other proposals for non-federal funding of federal hydroelectric projects ("cost sharing") as long as such proposals are consistent with:
 1. Existing preference laws;
 2. Federal control over development of federal water and power resources;
 3. Federal marketing of power from federal projects; and
 4. Cost-based pricing of federally-developed water and power resources. (1984)
37. Urges the Congress to reject in whole and without compromise the Administration's initiative to undermine preference for consumer owned electric utilities and to unfairly tax the consumers of electricity generated by federal projects by abandoning the long-established, congressionally approved principles of cost-based pricing for federal hydroelectric power in order to balance the budget. (1985)
38. Reaffirms support for the preference in relicensing of hydroelectric facilities; maintains vigorous opposition to the Shelby bill, H.R.44, and the companion bill in the Senate, S.426; and will continue to work with members of Congress to resolve outstanding relicensing issues in a manner consistent with APPA principles. (1985)

39. Commends the Southwestern Power Administration for providing an opportunity for serious discussion of new hydro development in its region using nonfederal financing and the option of federal operation and marketing, and supports the efforts of the preference customers of SWPA to develop a plan for preference customer financed development and federal operation and marketing of new hydro in the region, provided that such plan, if implemented, will continue all the benefits of coordinated federal operation and marketing with innovative customer financing to provide a renewal of long delayed federal hydro development in the SWPA marketing area, and supports efforts of consumer owned utilities in other regions to develop plans for customer financed development of federal hydro projects so long as such plans preserve preference in marketing and public ownership and operation of new projects. (1986)
40. Opposes UP&L's attempt to undermine long-standing federal law governing the allocation of federally-generated power. (1987)
41. Continues to believe the public interest would be best served if the remaining hydroelectric potential of this region was developed by the federal government with electricity sold to consumer-owned electric utilities and public bodies on the basis of preference by a federal power marketing administration. (1991)
42. If federal development of this region's remaining hydroelectric potential does not take place, the American Public Power Association believes it is imperative that development be undertaken by consumer-owned electric utilities in order to assure that the benefits derived from the development of this great public resource flow, as directly as possible, to the people of the region. As a result, the American Public Power Association calls on Congress to explore and enact financial, environmental, and other incentives which can be provided to the region's consumer-owned electric utilities in order to encourage the region-wide development of the remaining hydropower potential of these states. (1991)
43. Reaffirms its support for the preservation of the preference principles underlying the federal reclamation and other federal power marketing statutes, and will continue to oppose legislation making available federal power to individuals and entities that do not qualify under these long-standing principles. (1992)
44. That APPA supports maintaining the statutory preference protections of its consumer-owned utilities in any and all relevant federal legislative or regulatory proceedings; and

That APPA will oppose any legislation which would diminish or eliminate the statutory preference protections; and

That APPA will continue to be an advocate for preference with the United States Congress, the Administration and the appropriate federal agencies. (2012)

POLICIES AFFECTING FEDERAL POWER PROJECTS

1. Urges and requests amendments to the reclamation law to provide that the total cost allocated to power shall be kept to a minimum consistent with the production of low cost power, and in no event shall exceed the cost of a separate power project to produce the equivalent amount of power. (1946)
2. Endorses federal legislation establishing a uniform interest rate of two (2%) percent upon the commercial power investment in all federal projects and federally-financed projects heretofore or hereafter constructed; endorses the amendment of legislation controlling the older projects, such as Boulder Canyon Project, and others similarly situated, in order to effect such uniformity; and affirms the necessity for the formulation and application of uniform principles governing allocations of costs on all federal projects. (1946)
3. Favors the continuing development of the West through federal reclamation, and the construction of the multiple-purpose projects upon which such development depends. (1947)
4. Recommends federal legislation authorizing federal agencies to determine the proportion of the cost of a multi-purpose project proposed for construction by a local public agency which may properly be allocated to purpose which are nonreimbursable in the case of federal projects and authorizing the expenditure by the United States, directly or through grants to such public agency, of the amount of such allocations, subject to the approval by Congress of the amount of the proposed nonreimbursable allocation in each case. (1950)
5. Believes that the duplication of facilities between federal and local public power agencies is uneconomic and undesirable; that local public power agencies should cooperate to utilize and market, to the maximum extent economically feasible, the federally produced electric power; that generating capacity of local public power agencies should be integrated to the maximum extent economically feasible with federal installations to secure the greatest over-all benefits to the ultimate electric user; that the Department of the Interior, which is charged with the marketing of federally produced electric power in many sections of the nation, should adopt a policy with respect to local public power agencies, which policy be designed to (a) encourage the preservation and expansion of local public power agencies to the end that the maximum of local control is retained; provide for local public power agencies to construct the necessary transmission lines and steam generating stations to properly serve their load to the maximum extent they are able and willing to do so upon terms that are fair and equitable to other public agencies served by such facilities (c) serve customers other than public agencies directly, only to the extent that the local public power agencies are not willing and able to do so, (d) avoid restrictions and limitations in their contract relationships which tend to centralize control in federal agencies and deny the right of local public power agencies to develop their own systems and manage their own affairs; (e) that this Association offer its full cooperation to the Secretary of the Interior in solving this mutual problem. (1952)
6. Reaffirms and restates its belief in the fundamental soundness of the preference provision; endorses the preference provision in its requirements that: (a) preference to public agencies and cooperatives be recognized within each classification of power sold, namely, firm, secondary and dump; (b) a reasonable time be afforded public agencies to contract for power before it is made available to private companies; (c) the Federal government

- encourage arrangements between local agencies which will bring benefits of Federal power to all preference customers in the area on an equitable basis. (1953)
7. Registers its opposition to the execution by the Department of the Interior of any contract with privately owned electric power companies which does not allow the power consumer to choose his source of power supply, and which does not make power available to preference customers through a mutually agreeable wheeling arrangement, or through some alternate means which preserves to those preference customers the full benefits, both present and future, as to availability and cost to which they are justly and legally entitled. (1953)
 8. Condemns the past practice of diverting interest from power revenues to retire capital amounts invested in irrigation projects and recommends that it not be employed in future Reclamation projects. This recommendation is made in the best interest of the American taxpayer, of the public power industry and of the public it serves. Adoption of such a policy would avoid a concealed subsidy, the benefits of which go to only a limited number of persons at the expense of the Federal Treasury. (1953, 1954)
 9. Opposes the increasing burden which is being placed upon the power users in order to subsidize irrigation projects. (1954)
 10. Endorse legislation or administration agreements between the federal government and local utilities, which allow locally owned public utilities to take the initiative in developing the power resources of the area without sacrificing their individual allotments of power available to them from the federal system. (1958, 1959)
 11. Urges the Department of the Interior or other appropriate federal agency be empowered by Congress to provide for the marketing and wheeling of this power to the preference customers involved. (1956)
 12. Reaffirms its endorsement of the preference clause and opposes S. 2206 and the Case amendment to the Omnibus Rivers, Harbors and Flood Control bill, S. 497. (1958)
 13. Opposes bills such as S. 1388 in their present form, and urges instead a thorough Congressional review of the several alternative means of financing needed irrigation projects. (1960)
 14. Opposes any proposal to grant private power companies a statutory reservation of power at federal projects contrary to the traditional preference clause principle. (1963, 1964)
 15. Objects to use of the "comparability" test employed by the Corps of Engineers and calls on the Administration to instruct the Corps, together with all other federal agencies dealing with water resource projects, to disregard this harmful and inappropriate device. (1965)
 16. Urges recognition of the value of peaking power at present and future federal hydro projects, recommends that generating units be added to existing federal dams to take advantage of peaking potential, and declares that such peaking power should be marketed in a manner which will insure maximum usefulness to preference customers. (1966)

17. Opposes legislation which would deprive the Federal Power Commission of its authority under the Federal Power Act to regulate the terms under which electric energy generated at hydroelectric generating plants may be sold, and further states its opposition to this or any action by the Congress authorizing the construction of hydroelectric generating facilities from which the so-called "preference clause" is omitted. (1967)
18. Finds the Water Resource Council's proposed planning principles and standards, announced on December 12, 1972, to be unacceptable, and inferior to the principles and standards enunciated by the Council Task Force; and endorses legislation which largely adopts the planning principles and standards for water resource projects proposed by the Water Resource Council Task Force in 1969. (1972)
19. Urges the Congress of the United States to authorize and direct an appropriate agency of the federal government to initiate discussion with appropriate government officials in Canada seeking to develop mutually beneficial electric power relationships. (1973)
20. Endorses federal legislation to provide self-financing for the Bonneville Power Administration through the right of (1) issuing federal revenue bonds, (2) directly using revenues for operation and maintenance costs, and (3) retaining conditions, contracts, concepts and preference rights previously established under the still existing Bonneville Project Act, and which are essential to allow continued full participation and cooperation by the federal transmission agency with the utilities and the direct industrial customers of the federal government to secure jointly an adequate power supply for the Pacific Northwest region. (1974)
21. Urges that:
 1. The federal government provide transitional financial assistance to those publicly-owned electric utilities whose unamortized electric generating plant investments are compromised by the implementation of government fuel policies.
 2. Governmental financing programs to aid in the planning of public works facilities, including electric utility facilities, be reestablished.
 3. Congress prohibit private power companies from using municipal bonds to finance pollution control facilities, and, to the extent that utility financing assistance for pollution control is deemed in the public interest, provide a Federal program of direct grants available equally to all segments of the electric industry, this substituting a straight-forward nondiscriminatory payment of the present inequitable subsidy to private power companies. (1975)
22. Opposes legislation that would subordinate to other entities the entitlement of consumer-owned utilities to low cost federal power, or that would result in the federalization of plants owned by local public agencies. (1978)
23. Expresses strong opposition to any study by the Corps of Engineers which assumes its conclusion before being made and which exceeds the jurisdiction and responsibility of the Corps by examining power marketing policy issues which are within the jurisdiction of the Department of Energy; and condemns the characterization of the preference principle as anachronistic which characterization completely ignores the continued validity of the

- preference principle as a means of preserving healthy diversity in the electric utility industry and as providing a "yardstick" to measure the performance of investor owned utilities; and further condemns the proposition that the hydroelectric resources of the federal government should be priced at an artificial level designed to maximize profits rather than insure the most widespread use of such resources at the lowest possible cost as required by federal law. (1979)
24. Supports legislation authorizing the Western Area, Southeastern, Southwestern, and Alaska Power Administrations to operate on a revolving fund basis comparable to the authority provided by Congress to the Bonneville Power Administration. (1979)
 25. Expresses its strong and continuing support for the policies underlying the application of the federal preference laws, finds that these policies are as valid in the 1980's as they were when enacted and consistently reenacted over the past 75 years, and will commit its full resources to oppose all efforts to subvert the preference laws. (1983)
 26. Vigorously supports federal financing and development of all economically viable hydroelectric projects at both federal dams and at undeveloped and underdeveloped sites, but recognizes that in some cases alternatives to federal development must be found; and, in the absence of federal funding, supports other proposals for non-federal funding of federal hydroelectric projects ("cost sharing") as long as such proposals are consistent with:
 1. existing preference laws;
 2. federal control over development of federal water and power resources;
 3. federal marketing of power from federal projects; and
 4. cost-based pricing of federally-developed water and power resources. (1984)
 27. Urges the Congress to reject in whole and without compromise the Administration's initiative to undermine preference for consumer owned electric utilities and to unfairly tax the consumers of electricity generated by federal projects by abandoning the long-established congressionally approved principles of cost-based pricing for federal hydroelectric power in order to balance the budget. (1985)
 28. Commends the state government of North Dakota for its opposition to the use of Pick-Sloan Power revenues to repay costs of municipal and industrial water development; and urges the Congress, in acting on Garrison and other legislation to reaffirm the principle embedded in the federal reclamation laws that municipal water costs not be imposed on power users. (1985)
 29. Wholeheartedly commends the hundreds of public power systems and rural electric cooperative board, mayors, towns and city councils and states that have taken an active role in the fight to defeat privatization and commends and extends appreciation to those national organizations and entities that have taken a public stand in opposing privatization, including the American Federation of State, County, and Municipal Employees; Consumer Energy Council of America; Consumer Federation of America; Environmental Action; National Conference of State Legislatures State-Federal Assembly; National Farmers Union; National Governors' Association; National Grange; National Rural Electric Cooperative Association and National League of Cities Energy, Environment and Natural

Resources Steering Committee, National Water Resources Association and the state Legislatures of Nebraska, South Dakota, and Oklahoma. (1986)

30. Commends the Southwestern Power Administration for providing an opportunity for serious discussion of new hydro development in its region using nonfederal financing and the option of federal operation and marketing, and supports the efforts of the preference customers of SWPA to develop a plan for preference customer financed development and federal operation and marketing of new hydro in the region, provided that such plan, if implemented, will continue all the benefits of coordinated federal operation and marketing with innovative customer financing to provide a renewal of long delayed federal hydro development in the SWPA marketing area, and supports efforts of consumer owned utilities in other regions to develop plans for customer financed development of federal hydro projects so long as such plans preserve preference in marketing and public ownership and operation of new projects. (1986)
31. Reaffirms its commitment to assist repayment of irrigation costs (including those costs associated with the Animas-LaPlata project in accordance with existing repayment methodologies) and urge Congress and the executive branch to oppose any deviation from existing repayment methodology and schedules. (1987)
32. Reaffirms its commitment to the current congressionally authorized partnership role for reclamation project repayment including the CENDAK Project; opposes the CENDAK "alternative financing proposal" due to the drastic changes required to implement such a proposal and the resulting effect on preference customers' rates. (1987)
33. Opposes the sale, transfer, exchange, lease, or other disposition of all five federal power marketing administrations--the Southeastern, Southwestern, Alaska, Bonneville, and Western Area Power Administrations--and power plants and related facilities for the production and transmission of electricity. (1987)
34. Opposes changes in the current method of repayment, including, but not limited to, straight-line amortization of power and irrigation assistance, the accelerated repayment of these obligations, and changes in interest rates from current methods of calculation. (1987)
35. Urges the Congress to enact legislation creating Federal Power Marketing Administrations for the Midwest, Mid-Atlantic, and New England regions, which will protect and promote the interests of consumer-owned electric utilities in those regions. (1987)
36. Opposed UP&L's attempt to undermine long-standing federal law governing the allocation of federally generated power. (1987)
37. Applauds the Bureau's commitment to greater efficiency and to timely, cost-effective O & M, but believe that the federal government is the entity best suited to operate and maintain multipurpose projects to balance the interest of all beneficiaries. (1988)
38. If power plant O & M responsibilities of any multipurpose project are transferred from the Bureau, the transfer should be to the appropriate federal power marketing administration, and should be made only after a determination that such transfer is economically justified. (1988)

39. Supports the enactment of legislation to require the Corps of Engineers to afford customers of the federal power marketing administration notice of proposed changes in project operation that would have an impact on power output and a meaningful opportunity to comment upon such changes. (1988)
40. Opposes any consideration of permanent changes to minimum flow criteria or other discharge operating criteria without further data collection because of (i) serious economic injury would result to the American Public Power Association, their customers and others from such changes, (ii) there is insufficient data to substantiate recommending changes, and (iii) there has not been full public participation in the process. (1988)
41. The Glen Canyon Environmental Studies Final Report (and associated video tape briefing) is inadequate as pointed out by the National Academy of Sciences review, omits critical data prepared by Western, is biased in its presentation and tone, contains unsupported statements and conclusions, and presents a distorted picture of conditions along the Colorado River between Glen Canyon Dam and Lake Mead. (1988)
42. Supports further data collection for continuation of the environmental studies by only as part of annual operating plans for normal conditions to collect true baseline data from which to analyze environmental impacts of the operation of Glen Canyon Dam. (1988)
43. Oppose further studies of environmental values for fish, wildlife and recreation mitigation unless such studies are declared nonreimbursable expenses under Section 8 of the CRSP Act and not disguised as operation and maintenance studies paid for by power purchases under Section 5 of the Act. (1988)
44. Urges that prior to any interim change being proposed to river operations for further study purposes, a public process be initiated to answer questions and analyze the impacts of such interim changes to river operations on all interested parties, including power customers, in a public forum. (1988)
45. Opposes the addition of authorized project purposes unless power customers of the project receive complete short and long-term compensation -- including but not limited to replacement power costs for the life of the project -- for benefits lost as the result of adding a new project purpose. (1988)
46. Any addition of an authorized project purpose should be predicted upon a case-by-case congressional authorization that assumes that:
 - o commitments to existing project beneficiaries are honored;
 - o full compensation is provide to existing beneficiaries for any reduction in power benefits;
 - o the addition of project purposes does not render the project uneconomic or jeopardize repayment of the United States' investment in the project; and
 - o additional project purposes carry their associated costs so that power rates are not adversely affected. (1988)
47. Opposes any change in project operation to advance the interest of unauthorized project purposes. (1988)

48. Established the Task Force on Federal Water and Power Policies, which has issued a report entitled "Resolution of Competing Uses at Federal Water Projects" and believes federal power customers should participate constructively in reconciling the conflicting demands of original and new project interests under the following guidelines:

New Project Purposes and Revision of Existing Purposes

- o beneficiaries of authorized project purposes should not be asked to underwrite the addition of new or expanded project purposes that reallocate project benefits;
- o if project benefits are transferred from one project use to another, cost responsibility must be transferred and lost benefits compensated; changes in project operation or designation of new project purposes must not be pursued on a generic basis, since only case-by-case authorization can ensure that changes in project operation are warranted, appropriate, cost-effective, do not violate contracts or established rights, and are consistent with national objectives;

Western Irrigation Assistance

- o federal power customers will honor historical financial commitments for authorized but unconstructed irrigation projects under traditional methods of determining project feasibility, financing, and repayment; and, may consider non-traditional assistance, on a case-by-case basis, for such projects or acceptable substitutes that are economically and environmentally acceptable, include substantial local cost-sharing by other project beneficiaries, and provide federal power customers proportionate benefits;

The Environment

- o a distinction between environmental mitigation and enhancement is critical in determining the financial responsibility of federal power customers for efforts to improve environmental conditions at federal multipurpose water projects;
- o all project beneficiaries, and the public at large, must share financial responsibility for environmental mitigation efforts, which encompass those reasonable and cost-effective efforts designed to offset the environmental impacts resulting from construction of these projects;
- o the direct beneficiaries of enhanced environmental opportunities, and the public at large, must bear the financial responsibility for environmental enhancement measures, which comprise those efforts designed to improve the environment to a state that did not exist prior to construction of the facility;

Conservation

- o federal power customers should continue to pursue appropriate, cost-effective end-use and system efficiency measures;
- o prior to any reallocation of stored project water for consumptive use, federal power customers believe that the intended beneficiary should be required to make a positive showing that the water is needed after the implementation of appropriate, cost-effective end-use water management practices. (1989)

49. Continues to support an increase in the CRSP authorized ceiling needed for completion of the Central Utah Project, provided that such action is accomplished with full adherence to traditional federal power repayment policies. (1990)
50. Finds that, if the Utah congressional delegation's proposed provision to fund CUP related fish and wildlife programs is modified to clearly require full crediting of power revenue toward CRSP repayment obligations before using those revenues to assist in funding mitigation and wildlife activities and such use does not raise CRSP power rates or increase the CRSP repayment obligation for this purpose then the November 17 draft legislation will be in principle, consistent with traditional repayment policies. (1990)
51. Will oppose the inclusion of any provision in CUP legislation that adversely affects federal power customers or violates traditional repayment policies, and, if such changes are adopted, will oppose completion of the Central Utah Project. (1990)
52. Opposes legislation that prescribes the conduct of the Glen Canyon Environmental Impact Statement (EIS) since the Secretary of the Interior has sufficient authority to complete a comprehensive environmental review of current Glen Canyon Dam operations and if necessary, take prudent steps to protect endangered species and mitigate environmental impacts. (1990)
53. Supports the timely completion of the Glen Canyon EIS and supports the proper exercise of the Department of the Interior's administrative authority to protect the environment. (1990)
54. The Secretary of the Interior should not impose interim operating criteria for Glen Canyon Dam without clear and convincing evidence that such interim measures:
 - o are scientifically justified and necessary to prevent long-term environmental degradation in the Grand Canyon;
 - o would not interfere with or bias the EIS process;
 - o would not undermine environmental benefits afforded by current operations, or cause other adverse environmental consequences;
 - o reflect a full understanding of this complex river system; and
 - o are funded with appropriated funds under Section 8 of the CRSP Act. (1990)
55. Urges the Department of the Interior to include the following considerations in the development of the Glen Canyon EIS:
 - o full consideration of non-operational alternatives, including structural alternatives and non-project related management options such as restrictions on commercial rafting and sport fishing; and

- o determine and implement appropriate allocation of the long-term costs resulting from any change in project operations, including, if warranted, the allocation of costs to recreational interests. (1990)
- 56. Any final action resulting from the Glen Canyon EIS must:
 - o provide that the cost of purchasing replacement power should not be borne exclusively by federal power customers, but rather should be borne by all parties responsible for mitigation activities, all project beneficiaries, and the public at large; and
 - o adjust the allocation of project costs, if changes are made in project operations or project purposes, to compensate federal power customers for any lost benefits. (1990)
- 57. Opposes any changes to TVA's operating policy for its dams and reservoirs to the extent that such changes result in the subsidization by power customers of the use of waterpower resources for nonpower purposes. (1990)
- 58. Supports the implementation of a Central Valley fish and wildlife mitigation plan that:
 - o includes explicit and identifiable features, including the costs of such measures, to meet the stated objectives;
 - o reflects the consensus of all affected parties;
 - o assigns federal power customers repayment responsibility only for mitigating damages directly related to the power function of CVP under a financial formula that accurately reflects the share of the project costs assigned to power and employs traditional policies for the repayment of these costs;
 - o provides that the cost of purchasing replacement power should not be borne exclusively by federal power customers, but rather should be borne by all parties responsible for mitigation activities, all project beneficiaries, and the public at large;
 - o includes adjustments made in the allocation of project costs, if changes are made in project operations or project purposes, to compensate federal power customers for any lost benefits;
 - o ensures that federal, state, and local land and wildlife management practices be consistent with and not undermine the prescribed mitigation program; and
 - o provides that any mitigation or fish and wildlife restoration plan must be implemented with the advice of a quasi-official, broad-based coordinating group that represents all affected parties. (1990)

59. Believes that any legislation enacted by Congress to address the impacts of Glen Canyon Dam must:
1. Not interfere with the ongoing Environmental Impact Statement (EIS) process so that the Secretary will be presented a balanced EIS as required by the National Environmental Policy Act (NEPA);
 2. Not restrict examination of all reasonable alternatives, both non-operational mitigating measures as well as changes in power plant operation;
 3. Not interfere with the Secretary's current authority to implement interim mitigating measures, including interim water release criteria;
 4. Ensure an equitable allocation of the costs associated with the EIS and related studies; and
 5. Not invade the provisions of NEPA so as to prevent that Act from being complied with throughout the interim decision making, the EIS and subsequent decision processes. (1991)
60. Urges Congress and the appropriate regulatory agencies to exempt from any spectrum reallocation or reassignment that spectrum assigned to federal and non-federal utilities for their telecommunications systems. (1991)
61. That the American Public Power Association:
- o supports GSA's 1988 determination that the PMA's have "unique telecommunications mission requirements for the control, monitoring, operation and maintenance of their electric power transmission systems to ensure safe, reliable and efficient operation;"
 - o opposes any action to require the PMA's to use FTS 2000 for power system control or transfer power system control telecommunications systems out of PMA control; and
 - o supports the directive of the Senate Appropriations Committee that neither the PMA's nor the DOE take any action which would reduce the reliability of or forestall the planned replacement, expansion or improvement of PMA telecommunications systems. (1991)
62. Opposes any effort to reallocate or reassign radio spectrum assigned to federal and non-federal utilities unless:
- o these utilities are assigned replacement spectrum of equal or greater reliability;
 - o the costs of acquiring new equipment and any other costs associated with changing spectrum are not borne by the ratepayers of the utilities forced to move;

- o these utilities are allowed to continue to control and operate their own telecommunications equipment rather than relying on private contractors; and
 - o a grace period is provided to utilities forced to vacate their current spectrum assignments to allow adequate time for such activities as: planning, design, and testing of new telecommunications systems; equipment acquisition and modification; development of new equipment; and acquisition of any additional property rights that are necessary. (1991)
63. Believes federal and non-federal utilities should be represented adequately on any advisory group charged with the responsibility of recommending or determining which, if any, frequencies should be reallocated or reassigned. (1991)
64. Supports the prompt development of a national energy policy that includes the following balanced consumer provisions for end-use efficiency, renewable resources, advanced generating technologies, and efficiency of utility supply. Combined, these policies will increase energy and economic efficiency and improve our national energy security with limited impact on the environment.
- o **Strategy Development.** To ensure a balanced and unbiased approach, enhanced energy policy discussions and informational briefings between the Department of Energy (DOE), the American Public Power Association (APPA), public power utilities, and the Office of Management and Budget (OMB) are necessary.
 - o **End-Use Efficiency.** In order to ensure the wise use of existing resources, any national energy plan should include:
 1. national labelling requirements and reasonable standards for lighting, windows and appliances that are periodically revised to recognize technological advancements;
 2. improved distribution and availability of compact fluorescent light bulbs and other efficiency equipment;
 3. facilitation of the use of conservation and energy efficiency equipment by providing that utility rebates are not considered taxable income;
 4. sufficient and stable funding of federal programs designed to offset the cost of energy consumption and energy efficiency investments for low-income households;
 5. an appropriate and achievable increase in the Corporate Average Fuel Economy (CAFE) standard for automobiles and the "crediting" of electric vehicles in the calculation of CAFE standards;
 6. federal research for the development of electric vehicles, including development of cost-effective batteries;
 7. technical assistance for the development and use of integrated resource planning by electric utilities;

8. national home energy efficiency guidelines for new home construction that can be used in the development of climate- and locale-specific standards; and

9. federal energy efficiency standards for mobile, manufactured, and public housing.

- o **Renewable Technologies.** Utilization of renewable resources reduces dependence on unstable foreign energy supplies and emissions of pollutants. Steps must be taken to fully utilize existing renewable resources and facilitate the development and use of additional renewable resources. Such steps should include:

1. preservation of existing policies governing the sale of federal hydropower and proper maintenance and cost-effective upgrading of existing federal hydroelectric facilities to maintain the efficient use of this precious resource;

2. prevention of the decentralization of the Federal Energy Regulatory Commission (FERC) hydroelectric licensing process;

3. an expanded partnership program between federal and non-federal participants for the demonstration of emerging renewable technologies;

4. reasonable incentives, equally afforded to all utilities, to defray the cost of installing renewable technologies; and

5. expanded federal research and development in renewable technologies.

- o **Advanced Generating Technologies.** Advanced technologies and transportation policies are needed to promote the efficient use of traditional fuels, including coal, gas, and uranium. Specific program needs include:

1. federal assistance for the development and demonstration of utility-scale fuel cells;

2. continued federal cost-sharing of advanced clean coal technologies;

3. a rational federal resolution of the so-called WEPCO controversy that allows cost-effective, and frequently environmentally beneficial, modifications and refurbishments of existing generating facilities;

4. Federal eminent domain authority for the construction of coal slurry pipelines;

5. the development and licensing of standardized, passively safe nuclear generators; and

6. the timely development of an acceptable nuclear waste program.

- o **Efficient Use of Utility Facilities.** In order to avoid unnecessary duplication of existing and future utility facilities and to maintain competition and diversity in the electric utility industry, a national energy policy should:

1. establish policies and procedures to ensure access to existing surplus transmission capacity is made available to all utilities under just, reasonable and non-discriminatory terms and conditions and provide for the construction of future transmission capacity on a jointly planned basis; and
 2. remove the discriminatory restrictions placed on private use of public power facilities financed with tax-exempt bonds in order to promote the efficient sizing and use of these facilities.
- o **Effective Regulation.** To protect the interest of consumers, effective regulation of electric utilities by independent regulatory commissions such as the Federal Energy Regulatory Commission and the Securities and Exchange Commission, must be preserved. (1991)
65. Supports the allocation of costs for dam safety activities contained in federal laws as the most equitable formula of apportioning costs relating to dam safety modification between project beneficiaries and the general public; opposes efforts by the Corps of Engineers and the Bureau of Reclamation to circumvent these laws by arbitrarily classifying dam safety projects as Major Rehabilitation or O&M Revolving Fund expenditures thus improperly shifting dam safety repair costs onto the backs of power and water customers; and will pursue appropriate administrative and legislative means to ensure that the Corps and Bureau comply with federal law, including if necessary, amendments to federal law to prevent the collection from federal power and water customers of more than their equitable share of dam safety expenditures. (1992)
66. Reaffirms its support for the preservation of the preference principles underlying the federal reclamation and other federal power marketing statutes, and will continue to oppose legislation making available federal power to individuals and entities that do not qualify under these long-standing principles. (1992)
67. Supports establishment of formal consultative processes and urges the Secretaries of Interior and Energy to fully implement the intent and spirit of the consultations required in the Grand Canyon Protection Act. (1993)
68. Supports the cost-effective development of the full hydroelectric capacity of existing federal dams, but vigorously opposes the Clinton Administration's proposal for private financing of improvements to federal hydropower facilities with the sale of such power at market rates and not subject to existing federal power marketing laws and policies. (1994)
69. Believes when traditional federal funding and development of capacity additions and improvements is not feasible, other alternatives should be examined. Such alternatives among others could include the creation of revolving funds (with appropriate contractor and Congressional oversight) for Southeastern, Southwestern and Western Area Power Administrations similar to the revolving fund authority granted Bonneville Power Administration to finance capacity additions at Bureau and Corps dams in the Energy Policy Act of 1992, or nonfederal financing through cost-sharing arrangements so long as the benefits of coordinated federal operation are preserved. However, these and other possibilities alternatives must be consistent with: 1) federal preference laws; (2) federal control over development of federal water and power resources; (3) federal marketing of

power from federal projects; and (4) cost-based pricing of federally-developed water and power resources. (1994)

70. Supports studies by the individual federal power marketing administrations of alternative organizational, operational and financial structures, which are conducted in close consultation with the federal power customers, and address the following concerns. Any studies or implementing legislation must be on a project-by-project basis. The ultimate conclusions of such studies will be evaluated by APPA and address the following concerns:
 - o Continuation of the historic federal commitment to serve consumer-owned electric systems;
 - o Preservation and strengthened accountability of the federal power marketing administrations to federal power customers;
 - o Continuation of cost-based rates;
 - o Enhancement of federal power operations and marketing, and improved efficiency in management of federal hydropower resources; and
 - o No adverse impact on rates. (1994)
71. Supports efforts to protect and enhance fish and other wildlife resources through the use of scientifically-based protection and restoration measures while balancing the benefits and efficiencies of hydropower. The Association, however, takes issue with any characterization of western water resource development as mistaken policy and strongly objects to any recommendation to remove a dam, particularly if the removal is to occur at the owner's expense. (1995)
72. Believes the best way to protect the nation's fish and wild and scenic rivers is not to tear down the dams, but to work together to identify approaches to protect ecosystems and respond to environmental concerns while continuing to maximize the many benefits provided by these multipurpose projects. The federal government should recognize that fewer dams would mean higher electricity rates, fewer jobs and additional emissions from increased reliance on fossil-fueled facilities. (1995)
73. Supports the reauthorization of the Clean Water Act, opposes amendments to the Act that would eliminate either the section 316 thermal variance for the states or the section 301(g) chlorine variance, and supports amendments that would restore the appropriate balance necessary to retain multiple benefits of hydropower facilities. (1995)

74. Calls on Congress to exercise vigorous oversight of costs charged by the Bureau of Reclamation to hydropower operations, and to direct the Bureau to implement corrective actions as necessary. At a minimum, the Bureau should be required to:
- Develop a 10-year planning process with input and review by federal water and power contractors and subcontractors that allows for public scrutiny; and
 - Establish a procedure for federal water and power contractor oversight to review and comment on engineering, operating and auditing criteria and that would serve as a forum for the resolution of conflicts between the Bureau and the PMAs and their preference customers. (1995)
75. Should rectify the injustice of the huge cost increases for the Boulder Canyon Visitors Facilities by directing that all costs above the authorized \$32 million be non-reimbursable and non-returnable. (1995)
76. APPA urges the Department of Energy and the Western Area Power Administration to implement the marketing plans and proposals for the Central Valley Project (CVP) and the Colorado River Storage Project (CRSP) and to complete the contract extensions in a timely manner. (1999)
77. APPA calls on the Administration and Congress to support full funding for the Navajo Electrification Demonstration Program at its \$15 million authorized funding level for fiscal year 2002 and for each succeeding year. (2001)
78. American Public Power Association calls upon the Federal Government to ensure that all costs associated with ensuring security of federal hydropower and delivery system facilities in the aftermath of the events of September 11, 2001 be treated as non-reimbursable and that payment of such costs be funded through federal appropriations. (2002)
79. American Public Power Association (APPA) expresses its support for the appropriate treatment of lost benefits to hydropower customers as a result of a reallocation of water storage at a Federal reservoir;

APPA urges Congress and the Administration to ensure that any reallocation of water storage at a federal reservoir is carried out in compliance with the intent of Congress in authorizing the original reservoir projects;

APPA urges Congress and the Administration (the U.S. Army Corps of Engineers) to address the conflict in current policy between the amount the Corps charges to non-Federal interests for their use of reallocated water storage and the amount the Corps credits to other project purposes for their loss of the benefits from the reallocated storage;

APPA urges Congress and the Administration to ensure that hydropower and other authorized purposes adversely affected by a reallocation of water storage from a federal reservoir are credited and receive an amount equal to the amount allocated to non-Federal interests for use of the reallocated storage. (2002)

80. That the American Public Power Association opposes the proposal in the Administration's fiscal year 2006 budget request to increase the rates for PMA power until they reach market rates because it will result in an unwarranted increase in electricity rates for millions of Americans and urges Congress to soundly reject this or any similar proposal. (2005)
81. The American Public Power Association (APPA) urges Congress to pass the Hoover Power Allocation Act of 2009, that maintains the contractual arrangements long supported by Congress to allocate the hydro-power output of the Hoover Dam. (2010)
82. That the American Public Power Association (APPA) calls on Congress and the Administration to direct the Corps of Engineers to follow the directives of the Dam Safety Act of 1986 in allocating costs associated with dam safety repairs. (2010)
83. That APPA supports language in WRDA that provides the right balance between the interests of the new project beneficiaries and the longstanding purchasers of Corps hydropower. (2013)
84. That APPA supports TVA and its continued delivery of electricity in the states of Tennessee, Alabama, North Carolina, Kentucky, Virginia, Mississippi and Georgia; and

That APPA opposes the divestiture of TVA, and urges the Administration to reevaluate the impact such a move would have on TVA customers and on the federal deficit. (2013)

85. That the American Public Power Association opposes cost increases to Western Area Power Administration (WAPA) and Southwest Area Power Administration (SWPA) customers that do not receive the direct benefits and services of transmission enhancements and new transmission construction authorized by section 1222 of the Energy Policy Act of 2005 (42 U.S.C. 16421);

That APPA opposes cost increases to WAPA customers who do not receive the direct benefits and services of transmission enhancements under the Transmission Infrastructure Program authorized by section 402 of the American Recovery and Reinvestment Act of 2009; and

That APPA urges SWPA and WAPA to adopt the policy of "cost causation," that is, he who causes the cost pays for it. (2015)

86. That the American Public Power Association (APPA) calls on the Department of Interior, and specifically, the Bureau of Reclamation, to comply with the law and assess Central Valley Project Improvement Act (CVPIA) Restoration Fund charges in proportion to Central Valley Project (CVP) cost allocations; and

That APPA calls on Congress to investigate the transparency of current expenditures and the disproportionate assignments of CVPIA costs; and

That APPA urges Congress to take appropriate steps to ensure the proper allocation of costs to federal power customers. (2016)

87. That the American Public Power Association urges the Bureau of Reclamation to take prompt and timely action to ensure full crediting to Central Valley Project power customers for overcharges made by the agency for costs associated with the Central Valley Project Improvement Act. (2019)

RATES

1. Commends the Federal Power Commission for its efforts to segregate private power company propaganda and lobbying expenses from normal costs associated with the utility business, calls for rigorous enforcement of these accounting requirements, and urges both federal and state regulatory commissions to protect electric consumers by excluding such costs from rate calculations. (1957, 1959, 1961, 1963, 1964)
2. Endorses the principle of importing low cost power from Canada into the New England States as a stimulus to lower electric rates in the region. (1966)
3. Supports legislation which would promote full and complete disclosure of data required to determine fair and reasonable rates for wholesale sales of electric power by utilities subject to Federal Power Commission jurisdiction, and would direct FPC to make full use of automatic data processing in providing information on utilities subject to its jurisdiction. (1968)
4. Believes that before any action on hydro rates is taken by the USBR or Department of the Interior that an up-dated payout study of the Missouri Basin Project be discussed publicly with the preference customers in the region and that a copy of the payout study together with an explanatory text be provided to members of the appropriate Congressional committees for review. (1970)
5. Urges the adoption by Congress of criteria to be met for ratemaking and a specific procedure which will provide for full public hearings on the record prior to the institution of any rate increases by any federal government agency. (1973)
6. Believes that the need to establish just and reasonable rates which protect consumers against exploitation by natural gas producers remains unchanged and prices set by producers on the basis of "all the traffic will bear" can give no assurance of price or supply protection to the nation's consumers, and opposes any proposal to deregulate natural gas prices. (1973)
7. Urges the appropriate committees of Congress to insist on a review of the criteria and cost detail that are developed to justify the announced rate increases for all federal power projects. (1973)
8. Recommends that (1) the April 1, 1974, rate increases promulgated by the Secretary of the Interior be stayed pending a thorough review by the General Accounting Office and opportunity for remedial legislation, and (2) the Secretary of the Interior promptly publish proposed regulations which shall provide for the publication of any rate change hereafter proposed by the Secretary and for adequate public hearings thereon, including opportunity for presentation of testimony and cross-examination by affected parties and a written decision on the record so made, subject to appropriate judicial review. (1974)

9. Believes that (a) each utility should review its costs and methods of allocating those costs of providing service; (b) new types of rate structures, designed to conserve resources while at the same time refining the utilities' abilities to charge in accordance with the "cost of service", should be followed closely by the industry, and as soon as equipment and the means of implementing such rates are developed to the extent that the social benefits gained exceed the costs of implementation and additional operation, the adoption of such rates should be pursued; (c) each utility should review, and improve if necessary, its methods of data collection to insure it has sufficient knowledge of its customers and the requirements they place on utility systems to allow fair cost allocations; (d) utility price subsidies through rate design should be avoided for all classes of customers, and if subsidies for low income customers are found necessary, they should be provided through governmental social agencies which are already involved in similar programs for food and health services to insure that only those requiring assistance benefit from such subsidies. (1975)
10. Shall continue to pursue every possible means to correct the rapid escalation of electric utility rates, specifically including exorbitant fuel costs and urges the federal government to institute and finance programs, administered at either the state or local jurisdiction having responsibility for welfare programs, which will:
 - (a) Provide eligible needy residential electric consumers with financial assistance so that they can pay for their minimum energy requirements through energy stamps, tax credits, or rebates or direct payments.
 - (b) Supply assistance and information to all consumers so that electricity will be more efficiently used, such programs to include improved insulation and appliance efficiency labeling.
 - (c) Aid in upgrading residential insulation by providing to all customers a means of low cost financing or tax credits. (1975)
11. Opposes application of national retail electric rate design to local public power systems, but supports federal backing for rate and load management test projections plus dissemination of resultant information to utilities and their consumers. (1977)
12. Supports the concept of utility cooperation with cogenerators provided that rates for both sales and purchases are just, reasonable, in the public interest, and provide incentives to encourage cogeneration, and supports legislation that calls for rules which (a) allocate costs of a qualifying cogeneration facility between those incurred in generating electricity and those incurred in generating other forms of energy, (b) cover interconnection of a cogenerator and a utility, (c) deal with the cogenerator's responsibilities in a period of electric shortage, (d) set minimum reliability standards, and (e) specify availability of emergency service to the cogenerator. (1977)
13. Supports the following positions on pricing of federal power:
 - 1) In the pricing of federal power, the guiding principle should continue to be the adequate recovery of the costs of the projects. we believe that this has been, and should continue to be, the criteria for such pricing and that this is the proper application of existing statutes. Any attempts by the Department of Energy to

include pricing criteria not provided for in the laws authorizing federal power projects would be strenuously opposed by APPA and its members. Rate structures or designs to control or affect consumer use of power should continue to be the right and responsibility of the utility or agency providing service to the ultimate consumer and as established by legislative bodies.

- 2) If, and to the extent that, the Department of Energy has review reparability over rates of federal power marketing agencies, the agency or officer exercising review authority for pricing Federal power should establish the procedures for such review through a rule-making proceeding which would give all interested parties an opportunity for comment and an opportunity to develop a full record.
 - 3) Review by any such DOE agency should be provided by a published rate-making procedure to be adopted and followed by the federal marketing agencies.
 - 4) The rate making procedure for federal marketing agencies should include at least the following due process elements:
 - (a) informal meetings with all interested parties;
 - (b) comprehensive average rate and repayment study, including a breakdown of actual costs and expenses and the allocation thereof;
 - (c) publication of proposed rates and rationale;
 - (d) availability of all relevant studies to all interested parties;
 - (e) on-the-record hearings which include an opportunity to question representatives from marketing agencies and any other interested parties submitting studies or recommendations;
 - (f) opportunity for interested parties to cross-examine representatives of the marketing agency and representatives of other interested parties submitting studies or recommendations, as to those matters where cross-examination appears reasonably necessary for the development of a complete record for decision and review;
 - (g) opportunity to file written comments;
 - (h) publication of written comments and opportunity to comment on comments; and
 - (i) publication of recommended rates and rationale for rates.
 - 5) Rate-making shall be conducted by the federal marketing agencies on a regional basis with common rate-making criteria employed to the extent justified by applicable law, but with the understanding that exceptions to such common criteria might be desirable because of regional differences.
 - 6) If the Economic Regulatory Administration of DOE is to have a role in rate making activities, that role should be confined to intervening in rate-making proceedings once they have been initiated by the administrators of the various Federal power marketing administrations, with the same rights as any other intervening party.
- (1978)

14. Supports the following positions on pricing of federal power:
 1. Rates established by the various federal power marketing administrations should be reviewed in a manner consistent with the review procedures existing prior to the adoption of the DOE Act. Specifically, where review functions were performed by the Secretary of the Interior, they should now be performed by the Secretary of Energy, and where they were performed by the Federal Power Commission, they should now be performed by the Federal Energy Regulatory Commission.
 2. No interim rates should be imposed.
 3. The procedures recommended above would apply only for general increases in power rates and are not intended to address any other power marketing functions.
 4. In recognition of the fact that different procedures may be appropriate for the allocation of federal power than would be appropriate for the pricing of federal power, this resolution does not attempt at this time to address procedures which apply to federal power allocation. (1978)
15. Opposes the Interstate Commerce Commission's approval of cross-subsidization and urges the Commission to return to a standard for coal transportation of cost plus a reasonable profit as the pricing standard most consistent with the public interest. (1978)
16. Opposes inclusion in wholesale electric rates of costs not being actually and currently incurred by utility companies in providing service to their customers; and opposes the FERC rule which would permit normalization of taxes relating to a number of items. (1980)
17. Believes the decision of the Court to apply Natural Gas Policy Act rates rather than cost of service rates to pipeline production of gas to be in error, and fundamentally at odds with national energy policy to reduce petroleum imports through the use of other fuels, including natural gas; and supports an amicus petition for review to the Supreme Court submitted by a coalition of publicly owned electric and gas distribution system. (1982)
18. Believes the decision of the Court to apply Natural Gas Policy Act rates rather than cost of service rates to pipeline production of gas to be in error, and fundamentally at odds with national energy policy to reduce petroleum imports through the use of other fuels, including natural gas; and supports a petition for review to the Supreme Court submitted by a coalition of publicly owned electric and gas distribution system. (1982)
19. Supports the enactment of legislation which would allow industrial gas users, including electric utilities, to purchase gas directly from sellers, and require the Federal Energy Regulatory Commission to order transportation of such gas by transporters (including interstate pipelines, intrastate pipelines, and local distributors), with reasonable postage-stamp compensation plus a limited incentive rate to be determined by the Commission for each transporter by rule or order, if:

- a. The industrial purchaser has no contract obligations for the purchase of such transported volumes of gas, or (if the purchaser does have such obligations) will agree, as a condition on the granting of transportation, to honor all terms of its existing contracts, and to pay the cost of construction of any new facilities necessary to transport such gas;
 - b. The transporter has unused transmission capacity and would suffer no impairment of its ability to render adequate service to its customers;
 - c. No intrastate pipeline or local distributor would, by performing transportation required by such rule or order, become subject to the jurisdiction of the Commission except as necessary to fix appropriate compensation and the terms and conditions for such transportation. (1983)
20. Believes that the Federal Energy Regulatory Commission has no jurisdiction over rates or security issues of the South Carolina Public Service Authority and urges the Commission to reject the complaint filed by the Authority's industrial customers. (1983)
21. Opposes changes in the current method of repayment, including, but not limited to, straight-line amortization of power and irrigation assistance, the accelerated repayment of these obligations, and changes in interest rates from current methods of calculation. (1987)
22. Supports parity in the regulatory process, and a legislative resolution which would permit a refund effective date to be set by the FERC, when a complaint is filed under Section 206 of the Federal Power Act, of no more than five months from the expiration of a sixty day period for answer by the utility and decision on the refund effective date by the FERC, with refunds to be paid back to that refund effective date, when a just and reasonable rate is ultimately determined by the FERC. (1987)
23. That the APPA opposes the use of secret rates by investor-owned utilities. (1996)
24. Calls upon the Federal Energy Regulatory Commission to enforce the requirements of the Federal Power Act by requiring the wholesale of electricity, in the western states and throughout the United States, be at just and reasonable rates, and prohibits sales at rates above this statutory standard. APPA calls upon FERC to enforce the specific statutory requirements for just and reasonable wholesale rates, and to use all authorities provided to it by Congress, including the imposition of cost of service rates, to prevent wholesale sales in excess of just and reasonable rates in dysfunctional wholesale markets in the Western States and other wholesale markets in the United States. APPA calls upon FERC to prevent future wholesale electricity sales in excess if just and reasonable rates, and take all appropriate steps to provide remedies, including refunds of rates approved subject to refunds, to consumers forced to pay unjust and unreasonable rates. APPA will support any legislation provisions consistent with this resolution requiring FERC to adhere to the policies contained in this resolution. (2001)
25. That decisions related to deployment of solar power generation should be made at the local or state level, with a transparent discussion of the costs and benefits relevant to other generation sources; and

That community solar projects, while still sometimes more costly than most other types of power generation, can provide a relatively more affordable option than rooftop solar, and also can provide much greater reliability; and

That the American Public Power Association (APPA) will continue to educate federal policy makers about the impacts of federal regulations and incentives on local decisions related to solar power generation, and will discourage federal mandates or one-size-fits-all proposals in this area. (2015)

PLANNING AND ORGANIZATION

1. Urges that Congress consider: (a) enactment of legislation conferring on the Federal Power Commission authority to establish minimum standards for design and operation of interconnected electric systems and regional power pools, and to adhere to these standards; (b) encouragement of local electric utilities to provide power for public facilities, such as hospitals, airports, transit systems, elevators, etc, in the event of emergency; (c) creation of a National Defence Electric Transmission System; (d) support for further study of the use of direct current transmission; and (e) accelerated federal development of economically and technically feasible hydroelectric sites. (1966)
2. Supports programs that will enhance the urban areas of the country and will cooperate with the Department of Urban Development in the encouragement and implementation of such programs. (1967)
3. Urges that any council or group holding itself out to be an agency for coordinating the nation's utilities provide for membership in such national council of any region regional power pool or coordination group which includes representatives of consumer owned electric systems. (1968)
4. Urges the federal government to investigate the feasibility of establishing a New England Power Authority which could assist in developing New England power resources, generate or purchase low-cost power from Canada or other regions, and sell such power in New England. (1968)
5. Supports federal programs of financial assistance for improved traffic control facilities and street lighting facilities, and urges that in awarding funds priority be given to public agencies who have initiated and seek to implement practical programs for upgrading street lighting. (1968)
6. Endorses the objectives of S. 1934 of the 90th Congress and similar bills but believes that aims of the legislation could be best achieved by the following:
 - (a) Voluntary regional organizations with open membership should be formed for the purpose of coordinating generation and transmission plans. Planning meeting should be open and plans made available for public inspection.
 - (b) Refusal of a planning organization to permit any utility, regardless of size, or an appropriate representative of a group of utilities, to participate in a meaningful manner should be illegal and grounds for complaint to commissions and courts.
 - (c) The federal government should be empowered, following consultation with all segments of the electric utility industry, to set guidelines for proper planning, including comprehensive development tests and reliability standards; require to review and report on the planning process and product; and authorized to take appropriate action to correct conditions found contrary to established national goals as expressed in the guidelines.
 - (d) Continued failure of a utility or utilities in any region to initiate and implement planning consistent with national goals should constitute grounds for federal formulation of effective plans and their application through appropriate action.

- (e) All transmission lines 200 kv and above should be consistent with comprehensive regional plan for use and development of the area's power resources for the purpose of making available an abundant, low-cost, and reliable supply of electric energy. To the extent economically feasible, planning for energy such facility should take into account all capacity needs within the affected areas and provisions should be made for expansion to meet future loads.
 - (f) Administrative and legal remedies should be available to any utility which is unreasonably and discriminatory treated in the planing and operation of transmission facilities, or is denied opportunity to participate in the use of capacity in an existing line upon proper payment.
 - (g) In planning and construction of land, scenic, and other limited resources.
 - (h) Any transmission line 200 kv or above not consistent with an approved regional plan should not be constructed until such line has received certification from the appropriate governmental agency. Provision should be made to expedite FPC action on such certification applications.
 - (i) The FPC should be empowered, on its own motion or upon complaint to require the provision of needed reserves between utilities unless it finds that this would result in an undue burden on the involved utility.
 - (j) The electric industry and government should support a vigorous research program to (1) solve technical and economic problems of undergrounding transmission lines in areas of aesthetic significance, including multiple use of tubes and tunnels for common conveyance of electric lines and other public utility services in metropolitan areas; (2) investigate the feasibility of transmission corridors which would group and channel overhead lines, possibly along existing right-of-ways for utility and transportation services where practical, so as to minimize their impact on land use and aesthetic value; (3) study the possibility of designating and withdrawing from other future use land required for major transmission routes; and (4) stimulate development and use of improved technology and design for transmission structures. (1968)
7. Urges all states to enact legislation which will allow local publicly owned electric utility to participate in joint planning, generation, or transmission arrangements with other public and private entities. (1968)
 8. Supports the federal government's public works planning loan program and urges that it be continued. (1970)
 9. Urges the President to appoint an independent national energy commission to make a detailed, long-range objective study to include (a) the nation's future requirements, (b) the availability of energy resources to meet those requirement with minimal adverse effects on the environment, and (c) the scope and emphasis of research needed to provide the best utilization of the nation's energy resources; and that such a commission be directed to formulate a proposed national policy on energy development and usage which would take into account such questions as the relative values of various energy resources in light of their availability and impact on the environment, importation and exportation of energy sources, and tax incentives in the development of energy sources. (1970)

10. Urges the President of the United States to appoint an independent national energy commission to make a detailed, long-range, objective study to include (a) the nation's future energy requirements, (b) the availability of energy resources to meet those requirements with minimal adverse effects on the environment, and (c) the scope and emphasis of research needed to provide the best utilization of the nation's energy resources, and recommends that such a commission be directed to formulate a proposed national policy on energy development and usage which would take into account such questions as the relative values of various energy resources in light of their availability and impact on the environment, and importation and exportation of energy sources, and tax incentive in the development of energy sources. (1970)
11. Supports in principle legislation being introduced in Congress by Congressman Michael Harrington of Massachusetts which would create a regional, bulk power generation and transmission agency in New England. (1971, 1972)
12. Commends the New England Regional Commission for its study endorsing the concept of a regional power agency with full responsibility for generation and transmission of electric power in the New England Region and urges the affected States and the Congress to investigate the alternative methods suggested to the Commission to create such an agency in order to bring adequate and low-cost power to the region with minimum environmental impact. (1971, 1972)
13. Favors the formation of a federal corporation to engage in the exploration and development of oil, coal, and natural gas resources located on off-shore and other federal lands, the purpose of such a corporation to be to supplement gas supplies and to provide an independent, public source of information as to the full legitimate cost of production of gas, and the product of the corporation to be sold at fair and reasonable rates, to established commercial outlets. (1972)
14. Supports establishment of a Department of Natural Resources which will efficiently coordinate federal natural resources and energy programs. (1972)
15. Endorses the concept of a council on energy policy as proposed for the purpose of coordinating federal agencies dealing with energy matters, preparing long range plans for use of resources and advising the President and the public on energy matters. (1973)
16. Urges the Congress of the United States to authorize and direct an appropriate agency of the federal government to initiate discussions with appropriate government officials in Canada seeking to develop mutually beneficial electric power relationships. (1973)
17. Urges the Congress to enact legislation that will require that in order to obtain a site or equity in a site to be used for power generation the most efficient use of existing and planned generation and transmission capacity be accomplished. To insure this most efficient use, power pooling by all utilities in any regional area, both public, private and federal agencies, is required, this shall be accomplished by joint generation, transmission, and sharing reserves. Transmission services on surplus capacity, where it exists, must be available to all at compensatory rates. Where such capacity does not exist, enlargements are not feasible, joint planning, pooling and construction of new facilities must be a requirement for site use. (1973)

18. Urges the enactment of legislation which would require oil and natural gas companies to divest themselves of competing fuel resources such as coal, geothermal, and uranium. (1974)
19. Goes on record in opposition to legislation and statutes which restrict citizen choice in regard to electric service, and urges that citizens' rights be preserved and false barriers to such rights be removed, and where such barriers do not exist, that they not be created; further endorse a change in the Massachusetts law to permit communities of the state to exercise eminent domain proceeding in the acquisition of electric facilities and in the establishment of consumer-owned electric utilities. (1977)
20. Commends the establishment of such organizations as the Connecticut Municipal Electric Energy Cooperatives and the Massachusetts Municipal Wholesale Electric Company. (1977)
21. Supports the concept of regional power plans which are consistent with the existing preference laws, fair to existing and future preference customers, stand on their own merits under the existing and future preference customers, stand on their own merits under the existing antitrust laws and policies, embody traditional federal rate-making policies and practices for pricing of federal power pursuant to now existing antitrust laws and policies, embody traditional federal rate-making policies and practices for pricing of federal power pursuant to now existing applicable law, and permit power pools involving the sale of various power resources from various parties. specifically:
 - (1) The Association endorses the concept of a regionally-coordinated conservation program under established standards adopted by the individual states, and the concept of providing federal funding for direct electric energy conservation activities;
 - (2) The Association endorses the concept of purchase on non-federal power by the Federal Power Marketing Agency, the Bonneville Power Administration, with provision for resale of both federal and such non-federal power in accord with the applicable federal preference law
 - (3) The Association approves the establishment of a regional utility planning organization to provide necessary joint regional load and resource forecasts; to designate, under appropriate standards, those generating plants to be constructed as a source of power to be purchased by the Bonneville Power Administration for regional power supply needs; and to provide joint regional utility overview on the construction and operation of such designated generating plants;
 - (4) The Association approves the concept in the proposed Pacific Northwest legislation which assures continuation of the use of tax-exempt revenue bond financing by the local governmental utilities which will construct and operate generating plants in connection with the regional power supply program, and in this regard, the committee supports provisions that retain the cost and benefits of public financing to the participating consumer-owned utilities;
 - (5) The Association endorses the concept that all resources available to the Bonneville Power Administration from federally owned facilities and from "net-billed" facilities as authorized by Congress are subject to the preference and priority provisions of the Bonneville project act of 1937, estimated at 9500 average;

- (6) The Association endorses the policy of marketing all preference resources of under traditional federal rate-making policies and practices for the pricing of federal power pursuant to now-existing applicable law, including estimated revenue from nonfirm power;
 - (7) The Association endorses the concept of allocating a fixed amount of resources equal to the firm energy capability of the hydroelectric generating resources of the Federal Columbia River Power System (approximately 6900 average mw) to publicly and cooperatively owned utilities which accept a full public utility responsibility to supply power to a classes of customers, including domestic and rural, in their service areas, and to publicly an cooperatively owned or non-profit wholesale power supply organizations which serve such utilities;
 - (8) The Association further endorses provisions: (a) for re-acquisition of all preference power by publicly and cooperatively owned utilities upon the expiration of the power supply contracts to be executed under S. 2080/H.R. 9020; and (b) to assure that the act shall in no way affect preference or the federal power marketing laws. The Association will not abandon its historic position with respect to the sale of federal preference power, the application of the federal antitrust laws, and the formation of new publicly and cooperatively owned electric utilities. (1978)
- 22. Believes consideration should be given to forming a Western Energy Alliance or community to serve as mutually beneficial agency for development of long-range energy policies to assist fuel supply, development of resources (including hydro), and technological assistance and other means of benefiting nations of the Western hemisphere in the energy field. (1980)
- 23. Commends Representative Oberstar for his leadership in seeking federal programs to encourage the use of district heating and urges all Members of Congress to join him to enact H.R. 3204. (1981)
- 24. Supports efforts to organize the Great Lakes Electric Consumers Association and its efforts to accomplish its goals. (1981)
- 25. Supports public power involvement in local economic development programs and encourages the Administration and Congress to recognize the important role that public power systems can play in determining the economic well-being of their respective communities, support a consistent, long-term relationship between federal programs communities and publicly-owned utilities; initiative to promote community economic development by public power utilities should be fully eligible for funding under UDAG and DCBG programs; future efforts in the Enterprise Zone concept should also address the need for efficient, reliable, and clean energy services and recognize the important role of local utilities in the affected communities. (1984)
- 26. Urges the Congress to examine the decrease of competition within the electric utility industry and its effect on electric consumers, and supports the efforts by consumer owned utilities to resist hostile takeovers by investor owned utilities. (1986)
- 27. Affirms the rights of municipal public power systems to provide electric service within their corporate limits and adjacent urban growth areas, and that the American Public Power Association endorses the work of the APPA/NRECA Joint Task Force on territorial

- disputes, and specifically encourages the resolution of such disputes at the local level through a negotiated process. (1988)
28. Will vigorously oppose any federal legislation limiting or eliminating a municipal electric utility's right to serve customers facilitated by annexation and/or condemnation. (1988)
29. Supports enactment of rural economic development initiatives that will:
- o target local government where appropriate, as the primary provider of traditional public services;
 - o ensure that rural communities served by public power systems receive appropriate rural economic assistance; and
 - o require that the construction of any new water and wastewater facilities financed in whole or in part through funds provided under rural economic development legislation and which are located outside and in proximity to the jurisdiction of local governments, will be coordinated with, and not duplicate, existing and planned facilities and services of such governments, will promote economies of scale for construction and operation, and will efficiently use limited financial resources. (1990)
30. APPA supports the development and passage of consensus federal electric reliability legislation that would create a private, national reliability organization to oversee reliability of the integrated bulk power system, provided that the legislation includes provisions that:
- 1. The governance of the national organization is fair, open, independent and competitively neutral, and public power systems are entitled to membership in the national organization and any affiliated regional organizations;
 - 2. The standards adopted by the national organization are developed pursuant to a fair and open process with opportunity for stakeholder input and are mandatory, enforceable and uniformly applicable and that the standards and any enforcement actions are subject to FERC oversight and review, with appropriate deference to the technical expertise of the national organization;
 - 3. There is an appropriate role for the regional reliability organizations in implementation and enforcement of reliability standards, subject to balanced governance and fair and open procedures consistent with requirements imposed upon the national organization, and;
 - 4. There is a reasonable procedure for approval of interconnection-wide variances to national standards where the variance request meets statutory standards. (1999)
31. APPA supports local public power communities in their claims under the Public Claims Act, and urges the department of Defense to carefully review and respond to each claim. (2000)
32. All military departments should be required to comply with state utilities law at all United States installations when privatizing military owned utility distribution systems. Where an entity is currently providing electric service to a military installation, that entity should not be precluded from competing in that particular DOD electric utility privatization/procurement action. (2000)

33. APPA encourages the Bonneville Power Administration to continue to partner with public power systems in the Pacific Northwest for use of excess fiber optic capacity in order to provide essential telecommunications services to consumers. (2000)

RELIABILITY

1. That APPA reaffirms its support for passage of consensus federal electric reliability legislation to establish an electric reliability organization that is authorized to promulgate mandatory reliability standards as included in the conference report to H.R. 6, the Energy Policy Act of 2003. Enactment of such provisions will promote greater coordination and communication between and among regional transmission organizations, independent system operators and other transmission-owning stakeholders by vesting authority and responsibility for reliability in a single entity, with FERC oversight; and

That, regardless of the outcome of legislation to impose mandatory electric reliability standards, APPA supports the voluntary adherence by all electric utility stakeholders to reliability standards promulgated by NERC in order to minimize the possibility of future blackouts like that of August 14, 2003. (2004)

2. That APPA supports implementation of mandatory and enforceable electric reliability standards based on the following fundamental principles:
 - The governance of the ERO must continue to be fair, open, independent and competitively neutral. Public power systems must be entitled to membership and participation in NERC and any affiliated organizations, including the Regional Entities (REs) charged with “front-line” enforcement of NERC’s mandatory reliability standards;
 - The standards NERC adopts must be developed pursuant to a fair and open industry-based process. NERC standards must be sufficiently clear, technically sound, enforceable, measurable and uniformly applicable to all entities that have a material impact on the reliable operation of the bulk-power system.
 - Within the United States, NERC standards are subject to FERC review and approval, with appropriate deference to the technical expertise of NERC. FERC should not attempt to substitute its own technical judgments for those of NERC and its various standard-setting groups in reviewing proposed NERC standards, nor should it dictate specific revisions to NERC standards. However, FERC shall not defer to NERC on the effects of mandatory reliability standards on competition.
 - The fundamental purpose of electric reliability standards is to ensure reliable interconnected operation of the “bulk-power system,” a term that APPA interprets as being synonymous with the “bulk electric system,” as NERC defines that term. There are numerous dimensions to electric system reliability, including system adequacy and reliable local distribution, which are beyond the scope of the mandatory standards and enforcement regime set forth in FPA Section 215; neither FERC nor NERC should seek to address those issues that are beyond the purview of the legislation.
 - NERC mandatory standards and associated compliance obligations should not be imposed on entities that have no material impact on the reliable operation

of the bulk-power system. The industry, NERC and FERC must make every effort to ensure that reliability standards do not impose an undue regulatory burden on the industry in general, and small entities in particular, that is disproportionate to the reliability benefits likely to be achieved.

- The REs have a substantial role in implementing and enforcing NERC reliability standards. The REs must have balanced governance and fair and open processes consistent with the requirements imposed upon the ERO. Similarly, Section 215 properly contemplates approval of RE-developed interconnection-wide standards and variances to ERO standards where the standard or variance request meets the relevant statutory standards; and

that APPA urges each public power system to adopt a culture of compliance and a commitment to excellence in reliable system planning and operations, coordination and cooperation with neighboring electric utilities, and superior service to our customers. Excellence necessarily encompasses both full compliance with all applicable NERC reliability standards and collaboration to identify and adopt industry best practices throughout our systems; and

that APPA urges FERC to recognize and respect the pivotal role established in Section 215 for industry self-regulation in the governance of NERC, the development of electric reliability standards, and rigorous enforcement by NERC and the REs of such reliability standards. APPA fully expects the Commission to hold NERC, its REs and the industry responsible for effective self-regulation and consistent adherence with reliability standards to achieve the operational excellence expected by the public. (2007)

3. That APPA urges public power systems to include cost-effective demand response as an integral component in their power supply portfolios and integrated resource plans, and to implement all cost-effective demand response measures on their systems, including, as appropriate for the specific system, automatic load control devices, time-of-use rates, use of “smart” appliances and devices, and other methods of reducing system demand during peak periods; and

That APPA urges public power systems located in RTO regions to assess how they can best use RTO market opportunities to maximize demand response on their systems for the benefit of their retail customers, participating as appropriate and feasible in RTO markets as sellers of aggregated demand response, whether that be through acting as single aggregator for their retail customers, designating a single third-party aggregator to act on their behalf for all or one or more “classes” of their customers, or allowing multiple third party aggregators to aggregate retail customers for all or one or more classes of customers on their systems;

That APPA urges public power systems in RTO regions to present the results of such assessments to their RERRAs (which may be the system’s city council, utility board, other local governing body, or state public service commission, as specified under the relevant state and local law), and for those RERRAs to consider the assessment and take appropriate action to duly enact the necessary policies in a law or regulation; and

That FERC and the relevant RTOs should respect, honor and implement the duly implemented laws and regulations of public power systems' RERRAs regarding the aggregation of demand response on the systems of such public power entities; and

That APPA urges FERC, on rehearing of Order No. 719, to recognize the burdens that its current policy regarding the laws and regulations implemented by RERRAs concerning aggregation of demand response places on the RERRAs of "small utilities" located in RTO regions, as that term is defined by the Small Business Administration under the Small Business Regulatory Flexibility Act; and

That APPA accordingly urges FERC on rehearing of Order No. 719 to reverse the presumption that ARCs may aggregate retail customers on the systems of such small public power utilities and making clear that the systems' RERRAs must enact a specific law or regulation to allow ARC's to so aggregate customers. (2009)

4. APPA supports efforts to reform existing standards, and to focus the development of new standards on results-based requirements and metrics that address actual threats to system reliability rather than documentation or administrative requirements; and

APPA supports/urges the following additional actions:

- efforts to clarify existing mandatory reliability standards, and to include measurable requirements in these standards to the extent feasible, to help registered entities prioritize resources to satisfy compliance requirements;
- reform of NERC sanction guidelines to narrow the range of potential penalties, limit the application of daily penalties, and require more empirical rigor in the application of mitigating and aggravating factors relevant to the application of penalties;
- development of rules for enforcement of standards violations which call for a more direct relationship between potential penalties and the impact of violations on the bulk power system;
- efforts to provide greater transparency and consistency within and between regions in the enforcement and auditing processes;
- adoption of procedures enabling utilities to seek informal advice from the RROs outside the enforcement process, and procedures that enable the RROs to provide consistent advice through real-time coordination with NERC;
- adoption of procedures that facilitate informal resolution without resort to Notices of Alleged Violation;
- FERC, NERC, and the RROs to give the views expressed in self-reports by registered entities their due weight, and foster collaborative problem solving by allowing self-reports to facilitate informal communications between registered entities and regulatory entities without penalizing registered entities for self-reporting; and
- FERC, NERC, and the RROs to employ procedures for education, cooperation, and informal resolution as primary resources in the effort to enhance system reliability, with the assessment of penalties undertaken where essential and after other efforts have failed.

That APPA urges NERC and FERC not to divert needed resources and attention from issues and concerns central to maintain the reliability of the bulk power system by making reliability standards applicable to utilities whose facilities and activities do not substantially impact the bulk power system, through changes to the NERC registration criteria or otherwise, where the impact on reliability will be minor and substantially 87 disproportionate to the costs imposed on such utilities. (2010)

5. That the American Public Power Association (APPA) urges the North American Electric Reliability Corporation (NERC) to extend the compliance deadline for Modeling, Data and Analysis (MOD) standards within the western interconnection. A revised implementation schedule should allow time for utilities to work with NERC and Western Electricity Coordinating Council (WECC) to pursue possible revisions to the MOD-029-1 standard or a possible implementation of a MOD-028-1 or MOD-030-2 methodology.

That APPA urges FERC, NERC, and WECC to work with industry so that industry can present results and impacts of MOD-029-1 within the western interconnection. APPA urges regulators and industry to collectively find potential other solutions for determining transfer capabilities in the west that avoid the adverse consequences that would result from implementation of MOD-029-1 in its present form. (2011)

6. That APPA strongly supports efforts to maintain and improve the reliability of the nation's electric grid; and

That APPA believes those efforts to improve the reliability of the nation's electric grid should be based on the following principles:

- Risks that present the greatest potential threat to system reliability should receive the highest-priority attention;
- Reliability enforcement should focus on activities that directly improve system reliability, with less emphasis on paperwork and documentation requirements;
- National reliability efforts should focus on issues that threaten national or regional outages and avoid interference with local control of distribution systems;
- Reliability standards are most successful when they are developed from the bottom up, utilizing industry's expertise through the NERC standards development process;
- Penalties for reliability violations should bear a reasonable relationship to the level of the risk the violation creates for cascading outages and similar region-wide events. (2011)

7. That APPA strongly supports efforts to maintain and improve the reliability of the nation's electric grid; and

That APPA urges FERC, in conjunction with NERC, to undertake a comprehensive, region-by-region review of the potential adverse impacts of impending EPA regulations on the reliable operation of the bulk electric system, and work cooperatively with the EPA to provide the industry with realistic and comprehensive procedures that will permit affected public power utilities to obtain sufficient time to comply with such regulations without adversely impacting regional or local electric system reliability; and

That APPA will work with Congress on legislation to provide the needed flexibility in the Federal Power Act to ensure that federal regulations do not threaten electric reliability, and that all electric generation providers that either are ordered, or that voluntarily agree to comply with an order, to operate their generation units to protect local and regional electric system reliability are not subject to penalties or other legal liability under federal, state, or local environmental laws for their compliance with the order to operate. (2012)

8. That APPA encourages FERC to host a series of technical conferences to address issues such as:

- Operational and associated commercial procedures used by interstate pipelines and transmission/generation operators;
- Current products and services offered by both pipeline/storage operators and generation/transmission operators;
- Potential new transportation/storage/banking products and services that could be offered to accommodate electric generation purposes;
- Financial requirements for the development of new pipeline and storage facilities;
- Associated cost recovery, cost allocation, and rate design practices; and
- The extent to which the current Standards of Conduct adversely impact communications between transportation/transmission and gas supply/power supply functions prior to and during emergencies.

That APPA suggests that FERC issue a formal Notice of Inquiry (NOI) that seeks comment from interested stakeholders on whether impediments exist that hinder better coordination among the industries and how the Commission can address them; and

That APPA strongly urges FERC to study the economic and electric reliability impacts that will result from the retiring of coal-fired generation; and

That APPA believes that FERC should view gas-electric coordination in regions with RTOs differently from regions with bilateral electricity markets; and

That APPA encourages FERC to facilitate discussions with state commissions and electricity and natural gas industry stakeholders to address potential reliability issues surrounding natural gas curtailment policies; and

That APPA urges the appropriate committees in Congress to examine these issues as well and to monitor FERC's activities in this area. (2012)

9. That the American Public Power Association believes the Federal Energy Regulatory Commission (FERC) should be given the authority to analyze the potential reliability impacts of major proposed and final federal regulations; and

That APPA supports efforts by Congress to enact legislation that would provide FERC with a formal role in determining the potential reliability impacts on major proposed and final federal regulations. (2015)

10. That the American Public Power Association (APPA) supports swift enactment of the Wildfire Disaster Funding Act, or other similar wildfire funding mechanisms (both legislative and regulatory) to address the inadequate and inequitable funding to prevent and fight major forest fires. (2016)

11. The American Public Power Association (APPA) encourages Congress to pass legislation to improve the hydropower licensing and relicensing process; streamline the permitting process for interstate natural gas pipelines; and to facilitate vegetation management near electric facilities located on federal lands; and

APPA supports the inclusion of hydropower, pipeline, and vegetation management legislation into the energy title of an infrastructure bill. (2017)

12. That the American Public Power Association supports adequate funding for wildfire suppression to ensure existing forest management programs, including fire prevention and vegetation management practices, have the resources necessary to be implemented effectively, promote forest health, and reduce wildfire risk. (2019)

13. That the American Public Power Association (APPA) has serious concerns with the Federal Communications Commission's (FCC or Commission) proposal to allow unlicensed devices to operate in the 6 gigahertz (GHz) spectrum band that could cause harmful interference to licensed private utility communications networks that are used to control and monitor transmission, generation, and distribution assets to ensure the safe and reliable delivery of power to homes, businesses, and communities; and

That APPA believes the FCC must conduct real-world testing of automated frequency coordination (AFC) technology before it decides to allow unlicensed devices to operate in the 6 GHz band to ensure unlicensed operations do not cause harmful interference to licensed utility communications networks operating in the band; and

That APPA would oppose an order issued by the Commission that 58 would allow unlicensed devices to operate in the 6 GHz band without demonstrating that AFC technology 59 will mitigate harmful interference to utility communications in real-world conditions. (2020)

RAIL

1. Opposes deregulation of railroad rates. (1979)
2. Supports H.R. 2584, S. 1081, S. 1082, as well as other legislative initiatives to address the critical issues of deregulation of competitive rail traffic and continued regulation of rail rates, and urges the Congress to enact legislation to obtain for captive rail shippers the essential protections from monopolistic pricing practices. (1983)
3. Endorses H.R.4559, the Electric Consumers' Railroad Antimonopoly Act, and S. 2417, the Consumers Railroad Transportation Antimonopoly Act, as effective means for ensuring the benefits of competitive pricing in rail transportation, and also reaffirms its support for legislation to strengthen shipper protections from monopolistic pricing through effective regulation, where railroads continue to exercise monopoly power over the freight transportation of coal and other commodities. (1984)
4. Endorses H.R. 941 and S. 443, the Clayton Act Amendments of 1987, and H.R. 1393 and S. 676, the Consumer Rail Equity Act, as effective means for ensuring protection for captive shippers from railroad monopoly power. (1987)
5. Urges the Congress, if it eliminates the Interstate Commerce Commission, to insure that captive shippers will continue to receive protection from excessive rail prices by transferring the ICC's important regulatory functions to a newly-created independent board or commission within an existing agency, similar to the Federal Energy Regulatory Commission. This commission or agency must have authority over all current railroad regulatory responsibilities of the Staggers Rail Act and railroad mergers. Moreover, all pending rail shipper complaints under the Staggers Rail Act must be transferred to the new independent board or commission. Legislation necessary to create such an independent board or commission must be enacted before Staggers Act functions cease under the ICC. (1995)
6. That the American Public Power Association (APPA) urges Congress to authorize and require the Surface Transportation Board:
 - To establish trackage rights—within and for an appropriate distance outside terminals and interchanges—in order to encourage rail-to-rail competition, in cases where injury to competition can be shown or where service has been denied or is materially impaired;
 - To establish reciprocal switching within, and for an appropriate distance outside of, terminals in order to encourage rail-to-rail competition where injury to competition can be shown or where service has been denied or is materially impaired;
 - To require railroads that hold a customer captive to provide that customer a reasonable rate for moving its traffic to a competing railroad;
 - In reviewing and conditioning railroad mergers, to affirmatively promote rail to- rail competition where practicable and when it is in the public interest, to give strong weight to matching rates produced when actual rail-to-rail competition exists;
 - To require carriers to respond in a timely manner to rate requests from a shipper, and to authorize the STB to prescribe a maximum rate for a movement to a captive shipper so that the rate prescription is available

- when the shipper has to move the traffic; and
- To set rail rates that provide a fair and reasonable return on investment determined by the actual costs of the railroad to provide the requested service to any shipper where meaningful competition to provide rail service does not exist. Any rates so set should be subject to judicial review to determine whether the costs upon which the rates are based are supported by evidence in the record of the proceeding before the STB.

That APPA urges that the statutory provisions that exempt railroads from the antitrust injunctive actions, as well as the judicially developed Keogh doctrine that limits antitrust damage remedies, should be repealed by Congress, and that the STB should be authorized, when petitioned, to remove provisions of agreements that prevent short-line railroads from delivering traffic to any major railroad. (2005)

7. That the American Public Power Association (APPA) urges individual utilities that are captive shippers or that are affected by captive customer issues to supplement the activities undertaken by APPA by joining a coalition of captive rail customers such as Consumers United for Rail Equity (CURE) or Americans for Railroad Competition (ARC) in order to further changes in congressional and administrative policies to affect the development of competition in the freight rail industry and improve rail customer protection mechanisms. (2006)
8. That the American Public Power Association (APPA) urges Congress to couple the following rail customer relief provisions with any investment tax credit provided to the railroads:
 - A provision that removes all of the railroad industry's exemptions from the antitrust laws.
 - A defined, mandatory and enforceable "obligation to serve" (similar to the obligation that load-serving electric utilities have to provide power to their customers) provision that is provided as new authority to the STB.
 - Provisions such as those included in S. 919 and H.R. 2047 that overturn the anticompetitive rulings of the STB, and that allow the railroads to block rail customer access to competing railroads.
 - Provisions that require a new rate reasonableness standard based on railroad cost of service for the shipment in question, provide filing fees in line with filing fees in U.S. District Court, and require the railroad to justify a rate when the complainant has proved the rate is within the jurisdiction of the STB and the complainant is subject to railroad monopoly power for the shipment in question.
 - A requirement that the investment tax credit must be used to develop railroad infrastructure that would ensure the timely delivery at fair prices of domestic energy supplies within the United States for ultimate consumption in the United States. This new infrastructure must be operated in a pro-competitive manner so as to deter the enhancement of railroad monopoly power over specific shipments. (2006)

9. That APPA urges the enactment of legislation in the 111th Congress that reforms processes at the Surface Transportation Board that are endorsed by freight rail customers, increases competitive practices for freight rail traffic, and removes antitrust exemptions for the railroad industry. (2010)
10. That the American Public Power Association supports legislation that enhances the ability of the Surface Transportation Board (STB) to address the plight of captive shippers with regard to both freight rates and services; and

That APPA supports a full examination by the Federal Energy Regulatory Commission, the STB, and Congress of service-related coal shortages at public power utilities. (2015)

REGULATION

1. Express opposition to efforts of the National Association of the Railroads and Public Utility Commissioners and certain privately owned power companies to include in their jurisdiction rates of publicly owned electric power systems, and opposes the establishment of jurisdiction by state public utility commissions over rules, regulations and rates of publicly owned electric power systems. (1952)
2. Urges that the Federal Power Commission adopt such rules and regulations in Docket No. 126 as will assure that the savings resulting from acceleration amortization of electric utility facilities will accrue to the benefit of the consumers of electrical energy in the form of lower rates. (1953)
3. In order that the public interest may be best protected, urges that H.R. 8202, PUHCA, reform not be passed by the Congress. (1954)
4. Opposes legislation which would exempt from Federal Power Commission regulation the wholesale sales of natural gas to interstate pipelines by independent producers and gatherers. (1955)
5. Urges the Congress (1) to investigate the propaganda, lobbying and political activities of the private electric utility corporations, (2) to enact legislation prohibiting the use of revenues from electric consumers for propaganda, lobbying and political purposes, and (3) to strengthen the Public Utility Holding Company Act to protect electric consumers from financial manipulation. (1955, 1956)
6. Opposes passage of any legislation proposing blanket exemptions to the provisions of the Public Utility Holding Company Act. (1956)
7. Opposes any legislation which would exempt from Federal Power Commission regulation the wholesale sales of natural gas to interstate pipelines by independent producers and gatherers and opposes hamstringing such regulation by abandonment of traditional and effective regulatory practices such as the consideration of cost-of-service in establishing rates, and reaffirms its endorsement of the prudent investment principle of utility regulation and opposes the so-called fair value and fair field price methods. (1957, 1958)
8. Commends the Federal Power Commission for its efforts to segregate private power company propaganda and lobbying expenses from normal costs associated with the utility business, calls for rigorous enforcement of these accounting requirements, and urges both federal and state regulatory commissions to protect electric consumers by excluding such costs from rate calculations. (1957, 1959, 1961, 1963, 1964)
9. Reaffirms its long-standing policy of opposition to the use of rate-payers' money by the private power companies for propaganda advertising, when these funds could be utilized for the far better purposes of developing electric loads and improving the industry generally; and requests the appropriate Committees of the Congress to investigate the propaganda advertising of the private power companies to determine what legislation is needed to protect that rate-paying public from misrepresentation of facts concerning one of the Nation's essential industries. (1960)

10. Opposes any effort to bring rural electric cooperatives under the general jurisdiction of the Federal Power Commission. (1963, 1964)
11. Opposes passage of H.R. 11081, a bill to exempt from the general jurisdiction of the FPC any non-profit corporation, including those owned and controlled by private power companies, and would further exempt all other utilities which transmit or sell electric energy at wholesale in interstate commerce "if delivery of such electric energy is made in, or at the boundary of a state to any person or purchaser for resale and distribution to ultimate consumers in such state." (1964)
12. Urges Congress to enact legislation giving the Federal Power Commission authority to regulate direct sales of natural gas in interstate commerce by pipelines to publicly owned electric utilities at or near the point of use. (1965)
13. Urges that Congress consider: (a) enactment of legislation conferring on the Federal Power Commission authority to establish minimum standards for design and operation of interconnected electric systems and regional power pools, and to adhere to these standards; (b) encouragement of local electric utilities to provide power for public facilities, such as hospitals, airports, transit systems, elevators, etc, in the event of emergency; (c) creation of a National Defense Electric Transmission System; (d) support for further study of the use of direct current transmission; and (e) accelerated federal development of economically and technically feasible hydroelectric sites. (1966)
14. Believes that municipal wholesale power consumers must be served by private power companies at prices which yield the same rate of return as that realized in sales to co-ops, declares that the FPC in the St. Michaels case failed to follow the nondiscrimination mandate of the Federal Power Act and the recommendations of the National Power Survey, and urges the Commission to reverse this erroneous and inequitable policy; however, APPA does not favor the raising of charges to any rural electric cooperative but seeks only to obtain for municipalities the wholesale prices to which they are entitled as a matter of law and public policy. (1966)
15. Approves the principle involved in legislation authorizing the FPC to determine whether pooling, coordination, and interconnection agreements will unduly restrain competition provided such legislation (1) sets up procedures which give adequate opportunity for hearing to those affected by the agreements and their subsequent administrations, (2) requires concurrence by the department of justice in any commission hearing, (3) provides for continuing scrutiny, including the right of review, of the administration of the agreements, and (4) provides a time limit within which the commission must act; and urges that any such legislation be premised on a clearly established federal policy on a public utility responsibility for wholesale power supply for smaller retail electric distribution systems for the nation, and the terms and conditions under which such responsibility shall be exercised. (1967)

16. Endorses the objectives of S. 1934 and similar bills but believes that aims of the proposed legislation could be best achieved by the following:
1. Voluntary regional organizations with open membership should be formed for the purpose of coordinating generation and transmission plans. Planning meetings should be open and plans made available for public inspection.
 2. Refusal of a planning organization to permit any utility, regardless of size, or an appropriate representative of a group of utilities, to participate in a meaningful manner should be illegal and grounds for complaints to commissions and courts.
 3. The federal government should be empowered, following consultation with all segments of the electric utility industry, to set guidelines for proper planning, including comprehensive development tests and reliability standards; required to review and report on the planning process and product; and authorized to take appropriate action to correct conditions found contrary to established national goals as expressed in the guidelines.
 4. Continued failure of utilities in any region to initiate and implement planning consistent with national goals should constitute grounds for federal formulation of effective plans and their application through appropriate action.
 5. All extra-high voltage transmission lines 200 kv and above should be power resources for the purpose of making available an abundant, low-cost, and reliable supply of electric energy. To the extent economically feasible, planning for every EHV facility should take into account all capacity needs within the affected areas and reasonable provisions should be made for expansion to meet future load.
 6. Administrative and legal remedies should be available to any utility which is unreasonably and discriminatively treated in the planning and operation of transmission facilities, or is denied opportunity to use excess capacity in an existing line upon proper payment.
 7. In planning and construction of transmission lines, appropriate consideration should be given to conservation of land, scenic, and other limited resources.
 8. Any extra-high voltage transmission line not consistent with an approved regional plan should not be constructed until such line has received certification from the Federal Power Commission. Provision should be made to expedite FPC action on such certification applications.
 9. The FPC should be empowered, on its own motion or upon complaint, to require the provision of needed reserves between utilities unless it finds that this would result in an undue burden on the involved utility.
 10. The electric industry and government should support a vigorous research program to (a) solve technical and economic problems and undergrounding transmission lines in areas of esthetic significance, including multiple use of tubes or tunnels for common conveyance of electric lines and other public utility services in metropolitan areas; (b) investigate the feasibility of transmission corridors which would group and channel overhead lines, possibly along highways or existing rights-of-way for other utility services where practical, so as to minimize their impact on land use and aesthetic values; (c) study the possibility of designating and withdrawing from other future use land required for major transmission routes; (d) stimulate development and use of improved technology and design for transmission structures. (1968)
17. Opposes any legislation which would subject publicly owned electric utilities to regulation by the Federal Power Commission under Parts II and III of the Federal Power Act as

- unnecessary and duplicate regulation of utilities which are non-profit, governmental entities controlled by the consumers who own them, and as undesirable federal review and control of the activities of state and local government. (1969)
18. Urges the Federal Power Commission to suspend wholesale electric and gas rate increases for the full five months allowed by statute. (1972)
 19. Opposes the adoption by the Federal Power Commission of the proposed rulemaking, issued in December 14, 1972, in which the Commission could approve wholesale rate increases on the basis of a test year employing estimated cost data. (1973)
 20. Urges the Congress of the United States to authorize and direct an appropriate agency of the federal government to initiate discussion with appropriate government officials in Canada seeking to develop mutually beneficial electric power relationships. (1973)
 21. Urges the Congress to enact legislation that will require that in order to obtain a site or equity in a site to be issued for power generation, the most efficient use of existing an planned generation and transmission capacity be accomplished. To insure this most efficient use, power pooling by all utilities in any regional area, both public, private and federal agencies, is required, this shall be accomplished by joint generation, transmission and sharing of reserves. Transmission service on surplus capacity, where it exists, must be available to all at compensatory rates. Where such capacity does not exist, enlargements are not feasible, joint planning, pooling and construction of new facilities must be a requirement for site use; and supports and encourages legislation which would place the enforcement and administration of such an act with the appropriate federal agency. (1973)
 22. Requests the Federal Energy Office to take necessary action to regulate the price of foreign fuel products so that the ultimate user in foreign import areas shall not be penalized because of the necessity of using such imported fuels. (1974)
 23. Urges the enactment of legislation which would require oil and natural gas companies to divest themselves of competing fuel resources such as coal, geothermal, and uranium. (1974)
 24. Urges the enactment of amendments to the Federal Power Act, or action by the Commission, assuring fair treatment of wholesale purchasers of electric energy from private power companies. These amendments or actions should accomplish the following purposes:
 - (1) No wholesale rate increase, or any part thereof, filed under Section 205 of the Federal Power Act, shall become effective until completion of hearings and a final order of the Commission.
 - (2) Authority be given to the Commission to order wheeling over the transmission lines of jurisdictional utilities on reasonable terms and conditions.
 - (3) The Commission be authorized to grant access to power pools for utilities wishing to participate as members of such power supply or planning entities.

- (4) The Commission be directed to monitor and audit fuel purchasing and the operation of fuel adjustment clauses of jurisdictional utilities and, on its own motion or that of an affected wholesale customer, correct any situation which is to be found anticompetitive in nature, represents less than arms-length bargaining for fuel procurement, or prohibits the use of the lease expensive fuel.
 - (5) Inclusion of construction-work-in-progress and use of future test years by jurisdictional utilities be prohibited in setting wholesale power rates.
 - (6) The Commission be authorized to (a) insure continuity of service to wholesale purchasers of power, (b) require jurisdictional utilities to report promptly any anticipated deficiencies of power, (c) require jurisdictional utilities projecting deficiencies to file curtailment plans which would require curtailment of retail customers by both the supplier and wholesale purchaser on proportionate nondiscriminatory basis, and (d) order interconnections, pooling, wheeling, or transmission service, to alleviate projected deficiencies.
 - (7) The Commission should reject any rate increase filing which places customers in a "price squeeze" situation whereby high wholesale rates may prevent a purchaser of wholesale power from competing at retail with its supplier. (1975, 1976)
25. Objects to enactment of the proposed Energy Independence Authority in a form which excludes local public power systems and believes that such an entity includes an unwarranted financial subsidy to private utilities under the guise of energy independence and therefore does not represent sound national energy policy. (1976)
26. Supports the concept of utility cooperation with cogenerators provided that rates for both sales and purchases are just, reasonable, in the public interest, and provide incentives to encourage cogeneration, and supports legislation that calls for rules which (a) allocate costs of a qualifying cogeneration facility between those incurred in generating electricity and those incurred in generating other forms of energy, (b) cover interconnection of a cogenerator and a utility, (c) deal with the cogenerator's responsibilities in a period of electric shortage, (d) set minimum reliability standards, and (e) specify availability of emergency service to the cogenerator. (1977)
27. Believes that while the Federal Treasury should receive a fair return for development of federal coal resources, the new minimum royalty rate of 12 1/2 percent will allow energy companies holding existing leases to collect windfall profits at the expense of the American consumer while diminishing the opportunity to utilize this publicly owned resource as a yardstick for basic energy cost; and encourages the Executive Branch to do what it can by regulation to remedy the current situation, while also supporting legislation which would reduce the minimum royalty rate of 12 1/2 percent to a more reasonable figure. (1977)
28. Endorses provisions of President Carter's proposed National Energy Act which allow the Federal Power Commission to order electric utilities to provide pooling, wheeling, and coordinating services to other electric utilities and cogenerators. (1977)
29. Supports antitrust review by the Federal Power Commission, upon the request of an electric utility, as a condition precedent to construction of non-nuclear bulk power units by utilities presently subject to the jurisdiction of the Commission, and urges the Congress to

- incorporate this concept, with appropriate procedure deadlines, into President Carter's National Energy Act. (1977)
30. Opposes enactment of legislation to extend FCC jurisdiction over CATV joint pole attachment agreements to public power systems, and urges that the legislation be amended to exclude publicly owned utility systems, from FCC jurisdiction. (1977)
 31. Opposes the Interstate Commerce Commission's approval of cross-subsidization and urges the Commission to return to a standard for coal transportation of cost plus a reasonable profit as the pricing standard most consistent with the public interest. (1978)
 32. Opposes deregulation of railroad rates. (1979)
 33. Believes natural gas curtailment policy should be revised so as to be consistent with national energy policy goals; that curtailment policy should ensure full protection from curtailment to residential, small commercial, plant protection, feedstock, and any other legitimate gas uses for which other fuels cannot technically or practicably substitute; and that all industries, including electric utilities, which have alternate fuel capability should be accorded an equal priority classification. (1979)
 34. Urges the Congress and the Administration to reform the language of Section 210 of PURPA and the regulation to correct inequities and to implement the original purpose of Congress (which was to encourage cogeneration and small power production to assist consumers to cope with higher cost energy from conventional sources). (1981)
 35. Urges the Congress to repeal PURPA Title I. (1981)
 36. Opposes any amendments to the Public Utility Holding Company Act except amendments, either previously identified or subsequently proposed, which clearly and demonstrably will operate to the benefit of the customers of the public utility holding companies. (1981)
 37. Opposes acceleration of the schedule for decontrol of "new" gas wellhead prices set by the Natural Gas Policy Act, and further opposes decontrol of wellhead prices of "old" gas from wells in production before April, 1977. (1981)
 38. Opposes any change to existing law which would permit wholly owned electric utility cogeneration or small power production facilities to qualify for special treatment under PURPA's Section 210 program. (1981)
 39. Expresses its appreciation and commends Congressman Moorhead for his leadership in the repeal of Section 301(a) and for his continued support in matters which provide benefits to the ratepayers of all utilities. (1982)
 40. Urges the Congress to remove this impediment to the free exercise of legitimate municipal functions by amending the federal antitrust statutes to exclude from their coverage actions by municipalities. (1982)
 41. Supports public ownership of cable systems, where a community wishes to undertake this service; local rate regulation and franchising; and protection of public power's access to

- cable whether it be through franchising agreements or through public ownership; and urges Congress to reject legislation inconsistent with these policies. (1982)
42. Supports H.R. 2584, S. 1081, S. 1082, as well as other legislative initiatives to address the critical issues of deregulation of competitive rail traffic and continued regulation of rail rates, and urges the Congress to enact legislation to obtain for captive rail shippers the essential protections from monopolistic pricing practices. (1983)
43. Supports the enactment of legislation which would allow industrial gas users, including electric utilities, to purchase gas directly from sellers, and require the Federal Energy Regulatory Commission to order transportation of such gas by transporters (including interstate pipelines, intrastate pipelines, and local distributors), with reasonable postage-stamp compensation plus a limited incentive rate to be determined by the Commission for each transporter by rule or order, if:
- a. The industrial purchaser has no contract obligations for the purchase of such transported volumes of gas, or (if the purchaser does have such obligations) will agree, as a condition on the granting of transportation, to honor all terms of its existing contracts, and to pay the cost of construction of any new facilities necessary to transport such gas;
 - b. The transporter has unused transmission capacity and would suffer no impairment of its ability to render adequate service to its customers;
 - c. No intrastate pipeline or local distributor would, by performing transportation required by such rule or order, become subject to the jurisdiction of the Commission except as necessary to fix appropriate compensation and the terms and conditions for such transportation. (1983)
44. Believes that there are serious questions regarding the integrity of the FERC and its ability to render independent judgments based on the laws to be applied, free from political considerations, and urges the Congress to conduct an investigation of the Commission to determine the extent to which the will of Congress that FERC be an independent and quasi-judicial body has been subverted. (1983)
45. Reaffirms its support of federal regulation of wholesale electric power transactions and calls upon the Federal Energy Regulatory Commission to exercise this responsibility in an effective and expeditious manner in order to protect the interests of consumers and the public. (1983)
46. Supports the concept of regional power planning performed by regional commissions or other regional organizations operating in an advisory capacity to the utility industry but opposes as impractical and unworkable the creation of regional regulatory commissions to replace the Federal Energy Regulatory Commission in the regulation of wholesale electric transactions. (1983)
47. Endorses H.R. 4559, the Electric Consumers' Railroad Antimonopoly Act, and S. 2417, the Consumers Railroad Transportation Antimonopoly Act, as effective means for ensuring the benefits of competitive pricing in rail transportation, and also reaffirms its support for legislation to strengthen shipper protections from monopolistic pricing through effective regulation, where railroads continue to exercise monopoly power over the freight transportation of coal and other commodities. (1984)

- Opposes the mandatory listing of PCBs as hazardous wastes under the Resource Conservation and Recovery Act, as required by H.R. 2867, and urges the deletion of such provisions from this legislation. (1984)
48. Urges the Congress to repeal Title II of the Powerplant and Industrial Fuel Use Act to permit the use of natural gas in new utility and other industrial facilities. (1986)
49. Supports parity in the regulatory process, and a legislative resolution which would permit a refund effective date to be set by the FERC, when a complaint is filed under Section 206 of the Federal Power Act, of no more than five months from the expiration of a sixty day period for answer by the utility and decision on the refund effective date by the FERC, with refunds to be paid back to that refund effective date, when a just and reasonable rate is ultimately determined by the FERC. (1987)
50. Opposes UP&L's attempt to undermine long-standing federal law governing the allocation of federally-generated power; and pledges to work with consumer-owned utilities and their national, regional, and state associations throughout the country to defend the existing laws and programs in the courts and before Congress. (1987)
51. Opposes the mandatory ratebase provisions of S. 879 as (1) unnecessary in light of the authority currently granted the FERC under the Federal Power Act, (2) potentially harmful for public power systems purchasing power at wholesale because they could create or aggravate a price squeeze situation while simultaneously limiting the FERC's ability to deal with such a situation, and (3) subversive of basic rate regulation principles developed for the protection of electric consumers by establishing a presumption of prudence and creating incentives to circumvent traditional regulatory scrutiny. (1987)
52. Supports the enactment of S. 85 and H.R. 309 and expresses its appreciation to Senator Johnston and Representative Bryant for their efforts to accomplish the repeal of the end use restrictions on natural gas use. (1987)
53. Endorses H.R. 941 and S. 443, the Clayton Act Amendments of 1987, and H.R. 1393 and S. 676, the Consumer Rail Equity Act, as effective means for ensuring protection for captive shippers from railroad monopoly power. (1987)
54. Will support efforts in Congress to address the issue of discriminatory pricing during resolution of the captive shipper issue. (1988)
55. Opposes the proposed merger of UP&L and PP&L as inconsistent with the public interest. (1988)
56. The Commission is urged to reject the proposed merger, or to accept it only subject to conditions which fully protect the public interest, such conditions to include the requirement that the merged corporation provide transmission and coordination services to all regional utilities on the same basis as those services are provided to the two utilities (UP&L and PP&L) comprising the new utility corporation. (1988)
57. Supports efforts to enhance competition in the electric utility industry, and calls on the FERC to withdraw its proposals, and join with other interested agencies and organizations

in seeking ways to ensure equitable availability of transmission service to all electric utilities. (1988)

58. Opposes suspension of antitrust provisions in nuclear licenses as adverse to public policy and contrary to the clear congressional intent established in the amendments to the Atomic Energy Act of 1970. (1988)
59. Urges the NRC to deny requests to escape antitrust licensing conditions imposed on the Perry and Davis-Besse nuclear plants, or any other nuclear plants. (1988)
60. Urges Congress to resist attempts to amend the Public Utility Holding Company Act unless and until a clear and convincing case has been made that any proposed amendments are essential to permit independent power producers to construct bulk power facilities, and that such amendments are in the public interest and fully protect interests of consumers, and, that amendments to PUHCA designed to provide an exemption for independent power producers under the guise of promoting competition must be linked to statutory provisions ensuring fair, nondiscriminatory access to transmission facilities between IPP's and potential wholesale power purchasers and APPA will strongly oppose any such amendments absent such linkage. (1989)
61. Supports enactment of legislation to establish staggered, five-year terms for (FERC) Commissioners to eliminate the simultaneous expiration of the terms of two or more sitting Commissioners, and urges the Commission to adopt filing fee schedules that reflect accurately the cost of the service provided by the Commission and do not create economic disincentives to mutually beneficial wholesale power transactions. Urges the Commission to make available proposed Commission orders and decisions prior to Commissions meetings, and urges the Commission to review its administrative procedures and policies to ensure fair and efficient execution of its responsibilities. (1989)
62. Supports the development of clean coal technologies and appropriate equitable incentives for research and development of such technologies, but oppose the proposed regulatory incentives for clean coal technology investments, and urges the Administration not to pursue these incentives either through a FERC rulemaking or in acid rain legislation, and urges the Congress to reject these regulatory incentives if they are proposed as statutory provisions. (1989)
63. Reaffirms its belief that a fair, nondiscriminatory transmission access policy is the fundamental element necessary to create a competitive bulk power market. (1990)
64. Will continue to oppose the formation of utility affiliate bulk power production facilities, absent the full application of the consumer protections of PUHCA, unless those amendments foster fair competition and prevent anti-consumer practices, specifically through the provision of fair, nondiscriminatory transmission access for bulk power producers and electric utility bulk power purchasers. (1990)
65. Calls for an amendment to the Clean Air Act limiting the application of WEPCO so utilities can undertake life extension and modification programs at existing fossil fuel burning facilities in order to:

1. Increase the efficiency or reliability of existing power plants through physical or operational alterations;
 2. Maintain and modernize existing power plants; or
 3. Make needed in-kind component replacements. (1990)
66. Applauds recent White House recognition of the need for legislative language to clearly address WEPCO in the final Clean Air Act reauthorization. (1990)
67. Urges the Congress to include in any acid rain legislation provisions that would protect the ratepayers' right to obtain either by investment in utility plant or by rate relief, the economic benefits associated with the use, sale, and trading of allowances when ratepayers have paid the capital and operating costs necessary to create such allowances. (1990)
68. Reaffirms its support for greater competition in the cable industry and urges Congress to enact legislation that:
 - o promotes consumer protection by recognizing the option of public ownership and control;
 - o promotes public regulation of privately owned cable systems, including the ability to regulate basic cable rates, establish consumer service standards at the local level, and revoke or deny franchises or renewals when a privately owned cable company fails to provide satisfactory service;
 - o requires that all programming transmitted through satellite facilities be made available to all cable operators or wireless cable services in a community on nondiscriminatory terms and conditions; and
 - o stipulates that all cable wiring inside the local residence and underground drop cable used in connecting with cable service, whether installed in past or future is the property of the residential owner and is available for use at the discretion of that person for connection with any cable service of their choice. (1990)
69. Opposes mandatory reductions of carbon dioxide emissions and imposition of carbon taxes without documented scientific and economic justification. (1990)
70. Supports provisions of existing law under which FERC has exclusive licensing authority for hydroelectric projects within its jurisdiction and opposes legislation that would grant the states concurrent or superseding regulatory authority over a project license with respect to the use of water in the licensed project operations. (1990)
71. Encourages FERC to follow procedures in the licensing on relicensing of hydroelectric projects that will ensure that all interested parties, including federal and state agencies, have an opportunity to participate and the positions expressed are fully and fairly consider in establishing a comprehensive plan for the development of the nation's rivers as required by law. (1990)
72. Calls on the APPA hydroelectric licensing task force to review the issues raised by the recent judicial and legislative actions affecting the licensing of projects. (1990)

73. While supporting vigorous and effective safety programs and practices within the electric utility industry and related construction activities, opposes the creation of bureaucratic and administratively burdensome procedures. (1991)
74. Urges Congress, if it proceeds with legislation amending the Occupational Safety and Health Act (OSHA), to address construction safety, to minimize the record keeping and other administrative burdens imposed on those who contract for construction services and those who perform under construction contracts and to recognize explicitly, through exemptions or otherwise, the needs and demands of the electric utility industry in its mission to ensure the availability of this essential service to the American consumer. (1991)
75. Urges that a uniform and comprehensive Federal plan be developed that will permit the Environmental Protection Agency (EPA) to analyze visibility protection on a regional basis and to develop regional solutions to these regional problems. Such a comprehensive approach would most effectively promote the balance between the environment and economic concerns required by the Clean Air Act (CAA). This strategy also would promote broad, rather than piecemeal, remedies for visibility problems and therefore offer greater chances of long-term success. (1991)
76. That in devising such a comprehensive approach, the Federal government should rely extensively on the studies of the Regional Visibility Transport Commissions authorized by the CAA Amendments. EPA and other Federal agencies should cooperate fully with the work of the Commissions. The comprehensive plan also should take into account the improvements in visibility that will occur from implementation of other emissions reduction provisions of the 1990 CAA Amendments. (1991)
77. Opposes amendments to the Clean Water Act, including S. 812, that expand the section 401 permit process beyond consideration of water pollution and water quality standards. Such changes would erode the authority of the Federal Energy Regulatory Commission in the exercise of its statutory responsibility to impose conditions in the licensing of hydroelectric facilities that balance all competing uses of the water resource. (1991)
78. Urges the Federal Energy Regulatory Commission (FERC) to recognize that mergers between utility holding companies which might not propose combinations of their operating companies are intended to achieve benefits akin to the merger of operating companies; and, without FERC approval, would constitute a combination "by any means whatsoever, directly or indirectly" within the meaning of Section 203 of the Federal Power Act. (1991)
79. That the FERC take all steps necessary to examine proposed mergers of utility holding companies at the time such mergers are proposed, even if a merger of the operating companies is not proposed, to determine whether the intended consolidation or changes in operation or coordination of the operating companies will tend to reduce competition or otherwise adversely affect the public interest. (1991)
80. Urges the Environmental Protection Agency (EPA) to include in regulations implementing the Clean Air Act Amendments of 1990 the following provisions:

- o Allowance Trading Information Disclosure. In order for the acid rain allowance trading program to operate efficiently, all transfers must be recorded in a timely fashion and publicly disclosed. The resulting information is essential for effective market functioning, economic regulation, and program integrity.
- o Minority Owner Protections. The statutory protections afforded minority owners of affected units must be protected through a clear delineation of the responsibilities of the designated representative to fairly represent and protect the interests of joint owners in the allowance trading system.
- o Reasonable Ability for Opting-In. While units 25 MW and less are not directly affected by the acid rain program, the statute allows the owners of these units to elect to participate in order to reduce emissions and receive allowances. This program must be properly structured to provide sufficient incentive and opportunity for participation.
- o Cost-Effective Monitoring Program. The statutory emissions monitoring program should be implemented in a manner that: sets realistic goals for in-stack monitoring equipment; does not unreasonably penalize utilities for equipment failure; and allows the use, where feasible, of simple "bookkeeping" alternatives to the installation of expensive monitoring equipment, particularly for small units. EPA should expedite the promulgation of monitoring regulations so that utilities avoid the risk of installing monitoring equipment that is later found incompatible with EPA requirements.
- o Provision of Book Closing Period. Variations in weather, unanticipated operational abnormalities and inaccuracies in emissions monitoring equipment may lead to minor exceedences of emissions limitations. The provision of a reasonable "true-up" period after the end of the calendar year in which prior year allowances can be traded to cover these exceedences will promote market and operational efficiency with no adverse environmental consequences.
- o Accuracy of Data Base. The integrity and equity of the allowance system is dependent on the accuracy of the relevant data on historic operations. Every opportunity should be provided to ensure the accuracy of this data.
- o Allowance Pool Definition. Regulations governing allowance pools should ensure that this compliance mechanism is not employed to promote anti-competitive aims or shield market information.
- o Conservation and Renewable Energy Incentives. A limited incentive is provided for certain investments in conservation and renewable energy. In order for these incentives to achieve and maximize the intended goals, the program should be structured to provide some incentive to the greatest number of participants.
- o Reasonableness of Permit Fees. Title V allows state agencies to collect potentially substantial fees for administration of the Title V permitting process. Guidance should be provided to ensure the reasonableness of the fees, including a recognition of the limited resources of smaller systems and a stipulation that fees should be set to recover only the costs of the permitting program. (1991)

81. Recommends that appropriate legislation be introduced in Congress to provide guidance to the Federal Energy Regulatory Commission (FERC) and the Securities Exchange Commission (SEC) on the meaning of the "public interest" as that term is used in the Public Utility Holding Company Act (PUHCA) and Federal Power Act with regard to the use of publicly created transmission rights-of-way and fairly priced non-discriminatory access to facilities that are part of a regional interconnected bulk power transmission grid. (1991)
82. Supports the prompt development of a national energy policy that includes the following balanced consumer provisions for end-use efficiency, renewable resources, advanced generating technologies, and efficiency of utility supply. Combined, these policies will increase energy and economic efficiency and improve our national energy security with limited impact on the environment.
- o **Strategy Development.** To ensure a balanced and unbiased approach, enhanced energy policy discussions and informational briefings between the Department of Energy (DOE), the American Public Power Association (APPA), public power utilities, and the Office of Management and Budget (OMB) are necessary.
 - o **End-Use Efficiency.** In order to ensure the wise use of existing resources, any national energy plan should include:
 1. national labelling requirements and reasonable standards for lighting, windows and appliances that are periodically revised to recognize technological advancements;
 2. improved distribution and availability of compact fluorescent light bulbs and other efficiency equipment;
 3. facilitation of the use of conservation and energy efficiency equipment by providing that utility rebates are not considered taxable income;
 4. sufficient and stable funding of federal programs designed to offset the cost of energy consumption and energy efficiency investments for low-income households;
 5. an appropriate and achievable increase in the Corporate Average Fuel Economy (CAFE) standard for automobiles and the "crediting" of electric vehicles in the calculation of CAFE standards;
 6. federal research for the development of electric vehicles, including development of cost-effective batteries;
 7. technical assistance for the development and use of integrated resource planning by electric utilities;
 8. national home energy efficiency guidelines for new home construction that can be used in the development of climate- and locale-specific standards; and
 9. federal energy efficiency standards for mobile, manufactured, and public housing.

- o **Renewable Technologies.** Utilization of renewable resources reduces dependence on unstable foreign energy supplies and emissions of pollutants. Steps must be taken to fully utilize existing renewable resources and facilitate the development and use of additional renewable resources. Such steps should include:
 1. preservation of existing policies governing the sale of federal hydropower and proper maintenance and cost-effective upgrading of existing federal hydroelectric facilities to maintain the efficient use of this precious resource;
 2. prevention of the decentralization of the Federal Energy Regulatory Commission (FERC) hydroelectric licensing process;
 3. an expanded partnership program between federal and non-federal participants for the demonstration of emerging renewable technologies;
 4. reasonable incentives, equally afforded to all utilities, to defray the cost of installing renewable technologies; and
 5. expanded federal research and development in renewable technologies.
- o **Advanced Generating Technologies.** Advanced technologies and transportation policies are needed to promote the efficient use of traditional fuels, including coal, gas, and uranium. Specific program needs include:
 1. federal assistance for the development and demonstration of utility-scale fuel cells;
 2. continued federal cost-sharing of advanced clean coal technologies;
 3. a rational federal resolution of the so-called WEPCO controversy that allows cost-effective, and frequently environmentally beneficial, modifications and refurbishments of existing generating facilities;
 4. Federal eminent domain authority for the construction of coal slurry pipelines;
 5. the development and licensing of standardized, passively safe nuclear generators; and
 6. the timely development of an acceptable nuclear waste program.
- o **Efficient Use of Utility Facilities.** In order to avoid unnecessary duplication of existing and future utility facilities and to maintain competition and diversity in the electric utility industry, a national energy policy should:
 1. establish policies and procedures to ensure access to existing surplus transmission capacity is made available to all utilities under just, reasonable and non-discriminatory terms and conditions and provide for the construction of future transmission capacity on a jointly planned basis; and

2. remove the discriminatory restrictions placed on private use of public power facilities financed with tax-exempt bonds in order to promote the efficient sizing and use of these facilities.

- o **Effective Regulation.** To protect the interest of consumers, effective regulation of electric utilities by independent regulatory commissions such as the Federal Energy Regulatory Commission and the Securities and Exchange Commission, must be preserved. (1991)
- 83. Opposes the forced relocation of existing fixed microwave users from the 2 GHz band. In no event should there be a forced relocation unless reliability requirements of existing users can be fully accommodated in another band, public safety will not be jeopardized, and existing users will be fully compensated by new licensees. (1992)
- 84. Urges the FCC to focus its current inquiry on four issues: (1) whether the case has been made that relocation of existing users is in the public interest taking into consideration safety, reliability and economic consequences for existing users; (2) the existence and availability of alternative spectrum that meets the needs of existing users; (3) the amount of time that would be required for existing users to construct replacement facilities; and (4) the method by which new licensees would provide full compensation for all relocation expenses incurred by existing licensees. (1992)
- 85. Urges Congress to hold oversight hearings to review the potential disruption of the existing fixed microwave communications infrastructure that would occur from a forced relocation, the public health and safety consequences resulting from such a relocation, and the manner in which the costs of relocation for existing users would be recovered from new licensees. (1992)
- 86. Reaffirms its support for cost-based rates and urges the Federal Energy Regulatory Commission to support cost-based transmission rates and to reject opportunity cost pricing as unjust, unreasonable, anti-competitive and perpetuating rather than eliminating monopoly control over essential transmission facilities. (1992)
- 87. Supports congressional efforts to amend Sections 4 and 5 of the Natural Gas Act to provide for periodic review of natural gas pipeline rates and charges and to provide for the refund of overcharges collected during wholesale natural gas rate proceedings. Passage of this legislation will advance equitable consumer regulation and benefit those public power systems that use natural gas as a boiler fuel. (1992)
- 88. Urges the House and Senate conferees on the comprehensive national energy policy act to resolve their differences amending the Public Utility Holding Company Act and accept the House provisions on self-dealing and to reject any compromise that amends PUHCA if strong and effective transmission access provisions are not also included. (1992)
- 89. With respect to social costing, supports:
 - a. The orderly and systematic evaluation of external impacts as one of the tools for planning in all sectors of the economy, including the delivery of electric service.

- b. Recognition that the proper scope of externality assessment extends beyond environmental impacts to include benefits as well as costs.
- c. The thorough evaluation of related societal and environmental costs and benefits when making decisions on the siting, construction, and operation of the electric power system.

And Urges that :

- a. APPA should take a leadership role in advocating the ultimate development of a common method of evaluating externalities as part of the rigorous planning process for the siting, construction, and operation of facilities in all sectors of the economy, including the electric utility industry.
 - b. APPA recognizes that a common analytical methodology does not necessarily imply the adoption of common economic values for specific external impacts for all localities. While decisions taken by one locality may affect others, the basic political process to determine how these economic estimates are used is local. A common methodology permits interdependent localities to cooperate in the resolution of trans-boundary issues. (1992)
90. Supports switching from fossil-fuel to electricity end uses where efficient -- the ecowatts principle -- and urges that it be pursued as one element in a three-pronged energy strategy. In addition, the strategy should encompass continued cost-effective demand side management activities to increase efficiencies in the end use of electricity, and continued research and development of technologies that focus on improving efficiencies and reducing environmental consequences at both the point of electricity generation and use. (1993)
 91. Urges Congress to enact legislation eliminating defects in existing law which allow abuses to take place because of a lack of clear regulatory authority by either the Securities and Exchange Commission or the Federal Energy Regulatory Commission. (1993)
 92. Supports the research, development, and commercialization of renewable energy technologies and programs created to promote the future use of these technologies. Specifically, APPA is strongly committed to the successful implementation of the Renewable Energy Production Incentive Program and will work with Congress and the Department of Energy to obtain secure, long-term funding of the program for qualified public power projects. (1993)
 93. Urges the Department of Energy to request, and Congress to appropriate adequate, secure, and long-term funding of the Production Incentive program. APPA also urges the Department of Energy to establish rules, procedures, and policies that will promote utility confidence in programmatic funding stability. (1993)
 94. Continues to support actively the development and implementation by FERC of non-discriminatory, open transmission access policies and the creation of competitive regional bulk power markets that will result in an efficient utilization of regional electric resources through power pooling or market mechanisms, or both. (1994)

95. Supports efforts by public power systems and others to gain the benefits of competition in generation construction and long-term power procurement through competitive bidding and their processes. (1994)
96. Will not support mandated retail wheeling until such time as:
- a. Non-discriminatory, open transmission access is available to all electric utilities and other sellers of power and energy at wholesale, that eliminates all advantages for transmission owners in bulk power markets derived from their ownership and control of transmission;
 - b. Fully competitive, regional bulk power markets have been developed that result in an efficient utilization of regional resources to meet regional load through pooling or market mechanisms, or both;
 - c. Issues related to the obligation of a utility to provide service and to protection of small industrial, commercial and residential customers have been resolved in a way that is fair to all electric utilities and customer classes; and
 - d. A thorough analysis has been completed that (i) demonstrates that significant cost and efficiency gains are likely to occur as a result of retail wheeling for the benefit of all electric end-users, above and beyond the benefits that are achieved through the combination of open, non-discriminatory transmission access, competitive regional bulk power markets and competition in the construction of new generation and procurement of long-term power, and (ii) resolves the potential adverse impact of retail wheeling on achievement of state and national environmental goals, demand-side management programs and the development of cost-effective renewable technologies. (1994)
97. Reaffirms its commitment to safeguarding consumers by defending PUHCA's consumer protections and explaining the persisting need for these protections. (1995)
98. If efforts to repeal PUHCA appear to be succeeding, APPA, working with other industry and consumer groups, should be ready to propose changes to the Federal Power Act and other statutes to compensate for the loss of PUHCA's protections and to prevent holding companies from engaging in unfair competition. (1995)
99. Supports the adoption of reasonable regulatory reforms that will achieve the nation's environmental goals more efficiently. The reforms should include the following principles and goals:
- Continue to protect the environment and human health in the most efficient and cost-effective manner;
 - Minimize the disruption of essential agency activities and promote efficient operation of those agencies;
 - Use sound science to clearly define environmental problems and develop effective solutions that maximize efficient use of the nation's finite resources;
 - Balance the risks with the benefits to be achieved;

- Provide an orderly transition from existing statutory and regulatory frameworks to avoid jeopardizing existing environmental protection;
 - Avoid excessive and nonproductive litigation over agency compliance with the requisite regulatory reform process;
 - Eliminate overlapping and conflicting rules wherever possible;
 - Use pilot programs to test and improve innovative regulatory reforms; and
 - Use market-based incentives and increased corporate responsibilities for achieving the maximum environmental protection for resources expended. (1995)
100. Will urge Congress to revisit the Clean Air Act Amendments of 1990, specifically those areas that have and will force public power generators enact high-cost compliance measures unless clearly justified by scientific evidence and by a cost/benefit analysis. (1995)
101. Will encourage Congress and the EPA to delay or suspend development of major new regulations to allow some real assessment of the air quality improvements that are now being realized from the enforcement of first phases of the Amendments. (1995)
102. Will communicate the concerns of public power generators to Congress and support efforts by these generators to revisit specific sections of the Amendments to enact meaningful reform, including but not limited to; (1) opt-in regulations; (2) short-term ambient air quality standards for sulfur dioxide; (3) reduction of ozone ambient air quality standards; (4) Title V air emission permitting (including enhanced monitoring requirements); (5) ozone transport region issues; (6) national emission standards for hazardous air pollutant sources; and (7) air quality non-attainment issues. (1995)
103. Go on record in a variety of forums, including but not limited to the United States Congress, state legislatures, FERC and the SEC, as strongly opposed to consolidation of investor-owned electric utilities and independent power producers. (1995)
104. Work with its members in their efforts to defeat mergers or to impose meaningful conditions on such mergers, conditions such as vertical and horizontal divestiture, where appropriate, and strict prohibitions on affiliate transactions that go beyond the filing of open access transmission tariffs, in order to: (a) eliminate transmission and generation market power; (b) ensure development of vigorously competitive wholesale electric markets; and (c) protect the viability of large and small public power systems, thereby protecting a vibrant, pro-competitive diversity in the electric utility industry. (1995)
105. That the APPA supports changes to the FERC-administered hydro licensing process that would eliminate duplicative regulatory processes, enhance the involvement of the public and provide a substantive role for state government. (1996)
106. That the APPA supports an amendment to the Clean Water Act that would clarify the process for regulating new and existing cooling water intake structures under Section 316(b) of the CWA. (1996)

107. That the APPA encourages Congress to amend the FPA and all other competing statutes to end duplicative authority and to ensure a balanced, rational, and principled reform of the mandatory conditioning authorities in hydropower relicensing. (1996)
108. That the APPA encourages regulatory agencies to act on permit applications, formal complaints and motions in a timely manner. (1996)
109. That the APPA reaffirms its support for the continued financial and operational sustainability of hydropower in a new competitive electricity market. (1997)
110. Urges the Federal Energy Regulatory Commission to act expeditiously on the joint APPA/National Rural Electric Cooperative Association Joint Petition filed before it on April 6, 1998 by imposing a temporary two-year moratorium on large utility mergers. (1998)
111. Comprehensive federal electric utility industry restructuring legislation must address and resolve the lengthy, duplicative and at times contradictory regulatory process for licensing and relicensing of hydroelectric facilities to ensure that output of these facilities is not needlessly curtailed at a time when there is a premium being placed on other renewable, non-polluting facilities. (1998)
112. APPA calls on Congress to adequately fund the activities of the Department of Justice Anti-Trust Division and the Federal Trade Commission with regards to anti-trust enforcement. (1999)
113. In addition to increased appropriations to enhance anti-trust enforcement, the APPA urges Congress to provide new authorities to the Federal Energy Regulatory Commission to deal with protection of consumers and abuse of market power. (1999)
114. APPA reaffirms its support for comprehensive federal legislation to promote competition in the electric utility industry that addresses a broad range of issue including a comprehensive grandfather clause, private use, reliability, market power, and FERC and state utility commission jurisdictional boundaries, and reaffirms as well its opposition to a federal, date certain mandate for deregulation. (1999)
115. Applauds the bipartisan leadership of Representatives Largent and Markey, and expresses its sincere gratitude to them for the inclusion of the provision s of the Bond Fairness and Protection Act as part of their comprehensive legislation. (1999)
116. Pledges to work diligently with Representatives Largent and Markey to enact comprehensive legislation that meets the needs of public power and all electric consumers. (1999)
117. APPA commends these Members for their efforts to advance the interests of real competition, the elimination of harmful market power and support consumers in electric restructuring legislation; and directs the Association to take appropriate measures to convey such commendations. (2000)
118. APPA supports the Unfunded Mandates Reform Act of 1995, and the principles contained therein. (2000)

119. Urges the Administration and the Congress to continue to exercise greater caution in imposing new statutory and regulatory burdens on the fiscal resources of states and local governments through the enactment of unfunded mandates. (2000)
120. That APPA strongly supported the intention of enacting the Public Utility Regulatory Policies Act (PURPA), namely the reduction of our nation's dependence on foreign energy resources, improvement in the efficiencies of generation equipment, and by making available the correct price signals, helping ultimate customers determine conservation strategies and that APPA supports the passage of federal legislation that updates PURPA by including provisions that address the prospective termination of its mandatory purchase and sales requirements in a manner that encourages true cogeneration that actually improves the thermal efficiencies of electric production, but also stops the abuses of the program that will increase the rates of ultimate customers. (2003)
121. That APPA will work to oppose legislative and regulatory barriers to municipalization and to support the right of states and units of local government to provide any utility service desired by their citizens, and encourages its members to do likewise. (2003)
122. That the American Public Power Association opposes any comprehensive energy policy legislation that includes the repeal of the Public Utility Holding Company Act unless such legislation contains sufficient language to protect consumers and investors from the types of abuses which PUHCA now addresses but would be eliminated under a repeal of the Act. (2005)
123. The American Public Power Association (APPA) opposes any legislative or regulatory proposals that would mandate economic or efficient dispatch, however it is defined, because these are operational decisions that should be made at the local and regional levels. (2006)

124. That the American Public Power Association (APPA) urges Congress to preserve current federal law regarding public power systems' local control over pole attachments. Congress should not eliminate the municipal exemption to FCC rules and regulations regarding pole attachments; and

That APPA urges the FCC to establish rates, terms and conditions for pole attachments that provide for full cost recovery and accounts for the regional differences in rates for constructing and maintaining poles. (2010)

125. That the American Public Power Association (APPA) urges the federal government to continue to play an important role in smart grid development related to coordination and research and development; and

APPA urges the various federal agencies involved in smart grid policy and standards development to better coordinate on policy and standard-setting efforts, including those in the area of cyber security, to ensure that the policies and standards they adopt are consistent and do not conflict; and

APPA believes that the issue of how best to protect retail consumer data collected in association with smart grid installations is primarily a state and local issue that should be dealt with by state and local governmental entities, with appropriate policy guidance from federal entities such as the Department of Energy; and

That APPA believes Congress needs to examine the need for dedicated spectrum for utilities. (2011)

126. That the American Public Power Association (APPA) opposes any blanket mandate to install closed cycle cooling as the best available technology for minimizing adverse impacts from once-through cooling systems at existing facilities; and

That APPA supports regulatory language that considers site-specific conditions when choosing the best technology for minimizing cooling water intake structures impacts at each existing facility; and

That APPA supports regulatory language that fully considers the total "environmental impacts" in comparison to the total economic costs and retains the cost-benefit provisions as allowed by the April 1, 2009, U.S. Supreme Court decision. (2011)

127. the American Public Power Association (APPA) urges the U.S. Environmental Protection Agency (EPA), Congress, and the White House to evaluate the public health protection, environmental benefits, economic consequences, and the timing of the imposition of these regulations on the electric utility sector and the overall economy; and

That APPA urges these policy makers to seek innovative ways to mitigate the costs and reliability concerns resulting from these regulations while protecting public health. (2011)

128. That APPA supports reasonable regulations, consistent with EPA's legal authority and sound engineering practice, to protect public health while not causing economic disruptions to industry or the sale of energy; and

That APPA supports the use of alternative, health based limits under § 112(d)(4) of the Clean Air Act to both protect public health and to maintain the stability of the electric utility system and to avoid premature closures of power plants; and

That APPA strongly supports the use of statutorily allowed Generally Available Control Technology for area sources to reduce regulatory impacts to public power utilities, the cities that own and operate them, and the customers paying for these capital intensive control technologies.

That APPA strongly encourages EPA to re-propose the EGU Mercury MACT rule including both more realistic compliance deadlines and standards for new coal-fired power plants. This re-proposal would also allow EPA to correct the error made in the conversion factor for the MACT floor analysis. (2011)

129. That the American Public Power Association (APPA) calls on the EPA to recognize the vital nature of the units operated by municipal systems and modify the NESHAP regulations to:

- Allow for the use of these units during planned maintenance outages under the emergency designation with appropriate record keeping of the cause and duration of the event.
- Allow for the use of these units for voltage support under the emergency designation with appropriate record keeping of the cause and duration of the event.
- Allow for the use of these units for system support in cases of inadequate transmission capacity under the emergency designation with appropriate record keeping of the cause and duration of the event.
- Increase the number of hours of non-emergency operation allowed for units taking the emergency designation to 100 hours for participation in emergency demand response programs.
- Eliminate the prohibition for electric utilities to receive financial compensation for the presence or operation of these emergency engines and allow for compensation consistent with RTO/ISO demand response programs. (2011)

130. That the American Public Power Association (APPA) opposes any regulation of CCRs under subtitle C of RCRA and supports legislation to that effect; and

That APPA continues to support the safe and beneficial reuse of CCRs. (2011)

131. That APPA supports amending SBREFA to broaden the scope of the statute to cover all federal agencies and to otherwise improve the Small Business Advocacy Review Panel process; and

That APPA believes that federal agencies should provide regulatory alternatives and all pertinent information on a proposed rule to the small entity representatives with sufficient time to review all materials before a Small Business Advocacy Review Panel is convened; and

That federal rulemaking bodies should carefully consider the contributions to the regulatory process from small business representatives, incorporating to the maximum extent possible any suggestions that would ease the impacts on small businesses, consistent with the purpose of the proposed rules; and

That APPA believes that federal agencies should fully consider the costs, including indirect economic impacts, to small businesses of proposed rules in their economic analyses. (2012)

132. That APPA strongly encourages EPA to work quickly with state permitting authorities to develop a procedure that will enable utilities to obtain one year extensions in a timely and efficient manner; and

That APPA strongly encourages EPA to ensure that NERC and its regional reliability councils have a greater role in determining the impact of specific EGUs on reliability; and

That APPA strongly encourages EPA to revise its policy to make the second one-year compliance extension more widely available to give public power utilities sufficient time to comply with the rule; and

That APPA supports efforts in Congress to give utilities more time to comply with MATS. (2012)

133. That the American Public Power Association (APPA) strongly urges the EPA when establishing new effluent guidelines under the Clean Water Act for electric generation facilities to appropriately consider all relevant factors including costs, feasibility, non-water, and energy implications; and

That APPA urges EPA to establish, in the guidelines, subcategories or other methods to consider the variations in size, type, and physical limitations of specific facilities in order to lower the costs and/or increase the feasibility of the available pollution control options to meet the revised standards while also meeting all the essential requirements of the Clean Water Act. (2012)

134. That APPA believes that government-owned utilities should have the same ability to hedge commercial operations related risks as other utilities;

That APPA urges the CFTC to provide a narrow exemption from the swap dealer \$25 million special entity *de minimis* threshold for transactions hedging government-owned utilities' commercial operations-related risks or provide similar permanent relief that would give government-owned utilities' counterparties the certainty they need to enter into the transactions government-owned utilities need to manage commercial operations risks;

That APPA urges the CFTC to provide such relief immediately and without additional limitations or requirements on counterparties to such transactions; and

Absent action by the CFTC, APPA urges Congress to enact, and the President to sign, an amendment to the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 providing such relief. (2013)

135. That the American Public Power Association (APPA) urges Congress to amend the Natural Gas Act to provide for refunds under Section 5 on a basis comparable to the refund provisions of Section 206 of the Federal Power Act, so that consumers have equal protection under both Acts from the assessment of unjust and unreasonable rates by regulated interstate transportation providers. (2013)

136. That the APPA encourages the EPA and the Army Corps of Engineers to suspend consideration of the proposed waters of the US rule until the SAB finalizes its views on the draft connectivity report and public power utilities and other political subdivisions impacted by the proposed rule have an opportunity to review and comment further on that report and participate in redrafting the proposed rule to ensure that it addresses the full economic impact for all sections of the Clean Water Act beyond Section 404 (e.g. Sections 311, 401, 401); and

That APPA is prepared to work with the federal agencies and Congress in the crafting of a rule that adds clarity and certainty to the CWA and its implementing regulations, yet respects local needs, acknowledges the efficacy of local solutions, and achieves an appropriate cost/benefit balance. (2014)

137. That the American Public Power Association supports legislation that enhances the ability of the Surface Transportation Board (STB) to address the plight of captive shippers with regard to both freight rates and services; and

That APPA supports a full examination by the Federal Energy Regulatory Commission, the STB, and Congress of service-related coal shortages at public power utilities. (2015)

138. That the American Public Power Association believes unmanned aerial aircraft (drones) could be beneficial to the operation of public power utilities, including for surveying electric power equipment, assessing damage, and aiding in construction and repair; and

That current Federal Aviation Administration (FAA) regulations and federal aviation laws have failed to keep pace with this emerging technology; and

That FAA regulations and federal aviation laws should facilitate, not 41 impede, the responsible use of drones by public power utilities. (2015)

139. That the American Public Power Association (APPA) supports the Regulatory Flexibility Act (RFA) and its requirement that federal agency rules, regulations, and requirements be assessed to determine their effect on small entities, including small public power utilities, and to appropriately weigh the costs against the benefits of imposing these rules, regulations, and 55 requirements; and

That APPA believes the RFA standard for determining whether a public power utility, as a governmental jurisdiction is “small” should be reformed to reduce the number of public power utilities that are considered large and properly reflect the status of the vast majority of public power utilities, which are indeed physically and functionally "small" in the context of the current consolidation in the electric power industry; and

That APPA believes that any employee-based standard of a small public power utility should count only electric utility employees, and not other non-electric utility governmental employees. (2015)

140. That the American Public Power Association (APPA) supports the Environmental Protection Agency’s (EPA) decision to regulate coal combustion residuals (CCR) as non-hazardous waste under Subtitle D of the Resource Conservation and Recovery Act (RCRA); and

That APPA supports legislation to address the flaws in EPA’s final rule on issues such as the lack of state enforcement authority, the lack of state flexibility to establish site-specific corrective action remedies, and the tenuous status of the agency’s Bevill regulatory determination that CCR is a non-hazardous waste, among others. (2015)

141. That decisions related to deployment of solar power generation should be made at the local or state level, with a transparent discussion of the costs and benefits relevant to other generation sources; and

That community solar projects, while still sometimes more costly than most other types of power generation, can provide a relatively more affordable option than rooftop solar, and also can provide much greater reliability; and

That the American Public Power Association (APPA) will continue to educate federal policy makers about the impacts of federal regulations and incentives on local decisions

related to solar power generation, and will discourage federal mandates or one-size-fits-all proposals in this area. (2015)

142. That the American Public Power Association (APPA) supports an efficient, streamlined and cost-conscious regulatory review and streamlined permitting process for both existing and new low- and zero-emission projects, and associated transmission and natural gas pipeline projects, necessary to meet local, state, regional, and federal energy- and climate change-related policies; and

That APPA supports the preservation of existing low- and zero-emission projects capacity and operational flexibility to the maximum extent practicable; and

That APPA supports requiring federal regulatory agencies with the ability to impose mandatory conditions on a project to work together in an expedited manner to facilitate the preservation and development of low- and zero-emission projects to reducing waste, minimize burdensome administrative requirements, and improve decision making, and

That APPA supports requiring federal agencies to clearly define the objective of each mandatory condition with an accompanying rationale and disclosure of impacts in an open and transparent manner thereby adhering to the same standard of disclosure and explanation required of stakeholders submitting mandatory conditions. (2015)

143. That the American Public Power Association believes the Federal Energy Regulatory Commission (FERC) should be given the authority to analyze the potential reliability impacts of major proposed and final federal regulations; and

That APPA supports efforts by Congress to enact legislation that would provide FERC with a formal role in determining the potential reliability impacts on major proposed and final federal regulations. (2015)

144. That the American Public Power Association (APPA) calls on the Department of Interior, and specifically, the Bureau of Reclamation, to comply with the law and assess Central Valley Project Improvement Act (CVPIA) Restoration Fund charges in proportion to Central Valley Project (CVP) cost allocations; and

That APPA calls on Congress to investigate the transparency of current expenditures and the disproportionate assignments of CVPIA costs; and

That APPA urges Congress to take appropriate steps to ensure the proper allocation of costs to federal power customers. (2016)

145. That the American Public Power Association (APPA) supports swift enactment of the Wildfire Disaster Funding Act, or other similar wildfire funding mechanisms (both legislative and regulatory) to address the inadequate and inequitable funding to prevent and fight major forest fires. (2016)

146. That the American Public Power Association (APPA) supports active forest management by federal land management agencies, involving local/regional collaborations, to enhance the reliability of the electricity grid and reduce the threat of wildfires to hydropower facilities, electric transmission, and distribution facilities located on federal lands; and

That APPA supports efforts in Congress to redirect annual land use charges collected from hydropower project licensees to the licensees, to be used in collaboration with federal land managers, local government, and non-profit organizations, for projects to reduce the threat of catastrophic wildfire to hydropower facilities and to mitigate the adverse impacts to flow and water level management, wildlife, species management, and recreation in these critical watersheds; and

That APPA believes this approach supports hydropower project licensees with cooperative agreements or contacts with federal land management agencies to execute watershed management, right of way hazard mitigations, habitat protection, and restoration projects to mitigate the risk of wildfire and secure water supplies; and

That APPA supports efforts by Congress to enact legislation that would provide hydropower project licensees that use federal lands with additional resources to collaborate with federal land managers to protect critical watersheds. (2017)

147. The American Public Power Association (APPA) encourages Congress to pass legislation to improve the hydropower licensing and relicensing process; streamline the permitting process for interstate natural gas pipelines; and to facilitate vegetation management near electric facilities located on federal lands; and

APPA supports the inclusion of hydropower, pipeline, and vegetation management legislation into the energy title of an infrastructure bill. (2017)

148. That the American Public Power Association (APPA) supports the Federal Energy Regulatory Commission (FERC) and Congress examining whether the objectives of the Public Utility Regulatory Policies Act of 1978 (PURPA) have been achieved due to the development of wholesale electricity markets, the adoption of open access transmission policies, and the adoption of state and federal policies to promote renewable sources of power; and

That APPA supports FERC amending its one-mile rule to prevent renewable developers from dividing projects into smaller ones so they can qualify as a qualifying facility (QF) and require utilities to purchase their power output under PURPA's mandatory purchase obligation requirement; and

That APPA supports legislation in Congress that would direct FERC to make its one-mile rule a rebuttable presumption instead of a firm rule, thus providing utilities and other stakeholders with potential redress when a renewable developer splits a larger project into smaller ones located just over a mile apart to meet PURPA's 80 MW QF capacity limit as implemented in FERC regulations; and

That APPA supports legislation in Congress to amend PURPA section 210(m) so that small power production facilities of 2.5 MW or greater would be presumed to have non-discriminatory access to competitive wholesale markets for purposes of allowing electric utilities to terminate the mandatory QF purchase obligation; and

That APPA supports legislation in Congress to empower state public utility commissions and non-jurisdictional entities, such as public power, to waive the mandatory purchase

obligation on a case-by-case basis for small power production facility QFs if additional power is not needed to meet consumers' electricity needs. (2018)

149. That the American Public Power Association supports adequate funding for wildfire suppression to ensure existing forest management programs, including fire prevention and vegetation management practices, have the resources necessary to be implemented effectively, promote forest health, and reduce wildfire risk. (2019)
150. That the American Public Power Association urges the Bureau of Reclamation to take prompt and timely action to ensure full crediting to Central Valley Project power customers for overcharges made by the agency for costs associated with the Central Valley Project Improvement Act. (2019)
151. That the American Public Power Association (APPA) opposes the actions taken by the Federal Communications Commission (FCC or Commission) in its September 26, 2018, report and order to regulate public power pole attachments in contravention of the clear language in section 224 of the Communications Act that precludes the Commission from doing so; and

That APPA supports legislation to overturn the FCC's report and order issued on September 26, 2018, to restore local control of pole attachments. (2019)

152. That the American Public Power Association (APPA) urges the Federal Energy Regulatory Commission (FERC), in the face of rising transmission costs, to implement and enforce transmission planning, cost recovery, and incentive policies that ensure customers do not pay excessive transmission rates; and

That APPA reiterates that FERC should enforce the transmission planning process requirements of FERC Order Nos. 890 and 1000 in a manner consistent with the purposes and goals of those orders; and

That APPA urges FERC to adhere to recognized requirements for transmission incentives to ensure just and reasonable rates, including: (i) a demonstrated connection between the incentive and the conduct the incentive is supposed to encourage; (ii) a showing that project specific incentives are justified by project risks and challenges; (iii) demonstrated efforts to minimize project risks, including appropriate consideration of joint ownership arrangements; (iv) incentive returns should not be applied to cost overruns; and (v) incentives should not be granted to motivate past conduct or actions that public utilities are otherwise legally compelled to undertake; and

That APPA recommends that FERC renew its efforts to evaluate the status of competitive transmission development under Order No. 1000, including an assessment of the potential for increased transmission competition to moderate transmission cost increases in some or all planning regions. (2019)

153. That the American Public Power Association (APPA) opposes legislation or regulations that would inhibit the ability of public power utilities to communicate with their customers using automated dialers for legitimate, service-related issues; and

That APPA urges the Federal Communications Commission and 53 Congress to improve protections for cell phone users against fraudulent communications. (2019)

154. That the American Public Power Association (APPA) believes any federal legislation and associated regulations to reduce greenhouse gas (GHG) emissions must do so in a way that maintains a reliable electric grid and affordable electric rates for retail customers. To that end, climate legislation should:
- Protect electric customers and the ability of U.S. industries to remain globally competitive by preventing or mitigating substantial rate impacts;
 - Recognize regional differences in resources, power supply mix, and electricity consumption;
 - Make clear that other sectors of the U.S. economy and other nations also need to take meaningful action to reduce their emissions;
 - Ensure the continued use of all sources of non-emitting energy, including hydropower, wind, solar, geothermal and nuclear power, as well as fossil-fuel based and dispatchable resources, which will be needed to ensure generation diversity, system reliability, and resilience;
 - Avoid mandates that rely on technologies that are not commercially demonstrated or economically feasible;
 - Seek the most economically efficient means for reducing GHG emissions from an economy-wide perspective while protecting system reliability, rather than requiring the use of any particular kind of generation;
 - Recognize early action taken by electric utilities to reduce their GHG emissions, including investments in renewable and other non-emitting generation, transportation electrification, energy efficiency measures and other GHG mitigation efforts;
 - Provide an appropriate glidepath, flexibility, and technical and financial assistance to communities and workers that depend economically on fossil-fuel fired power plants, and utilities that own or purchase power from such plants, including ensuring not-for-profit utilities with existing debt on fossil-fuel fired power plants are not economically harmed if those plants are required to scale back production or retire before their bonds are paid off;
 - Support demand-side measures to reduce GHG emissions, including increased energy efficiency and demand response measures and the beneficial electrification of new loads that reduce overall energy intensity;
 - Ensure any federal incentives provided for non-emitting sources of electricity, energy storage, energy efficiency, and carbon capture, utilization, and storage are technology-neutral and provided on a comparable basis to all sectors of the electric utility industry, including public power;

- Provide robust federal funding and support for research, development, and deployment of new and advanced technologies to reduce, capture, transform, transport, or sequester GHG emissions by all segments of the electric utility industry;
- Recognize local, state, and regional efforts to reduce GHG emissions and work in a complementary fashion with those efforts; and
- Provide federal funding for technologies and actions to adapt to the effects of climate change, including building more resilient electric infrastructure. (2020)

155. That the American Public Power Association (APPA) believes if Congress is going to continue to use the tax code to drive federal energy and environmental policy, it must provide comparable incentives to public power utilities that—because of their tax-exempt status—cannot directly access many energy-related tax credits, such as the wind production tax credit (PTC) and solar investment tax credit (ITC); and

That APPA applauds lawmakers in Congress who are seeking to make federal energy investment incentives fairer and more efficient by pursuing legislation that will allow tax-exempt entities, including public power utilities, to benefit from energy-related tax incentives; and

That APPA commits to working with members of Congress seeking to improve upon past efforts, or seeking new approaches, to provide comparable incentives to energy-related tax incentives; and

That APPA strongly encourages Congress, as it develops comprehensive climate legislation, to ensure public power utilities are put on a level playing field for making investments in renewable resources by providing them with comparable incentives for the PTC and ITC. (2020)

156. That the American Public Power Association (APPA) urges the Federal Energy Regulatory Commission (FERC), to grant rehearing of its June 29, 2018, and December 19, 2019 orders in Docket Nos. EL16-49-000, et al. and reconsider its unreasonable and unlawful decision to apply a Minimum Offer Price Rule (MOPR) to new public power self-supply resources in PJM Interconnection; and

That APPA reiterates that FERC should ensure that RTO tariff provisions do not impede the ability of public power systems to obtain through self-supply sufficient power supply and demand-side resources to serve their retail loads at least cost, taking into account short-term and long-term portfolio needs, resource diversification, environmental considerations, and any other policy preferences of their communities; and

That APPA reiterates that FERC should ensure that capacity market rules preserve the rights of state regulatory commissions and local authorities to set procurement rules to meet public policy goals established by state and local regulatory authorities, including but not limited to, replacing older generation, entering into long-term contracts, using tax-exempt borrowing authority, and favoring resource types preferred under state and local law and policy. (2020)

157. That the American Public Power Association (APPA) has serious concerns with the Federal Communications Commission's (FCC or Commission) proposal to allow unlicensed devices to operate in the 6 gigahertz (GHz) spectrum band that could cause harmful interference to licensed private utility communications networks that are used to control and monitor transmission, generation, and distribution assets to ensure the safe and reliable delivery of power to homes, businesses, and communities; and

That APPA believes the FCC must conduct real-world testing of automated frequency coordination (AFC) technology before it decides to allow unlicensed devices to operate in the 6 GHz band to ensure unlicensed operations do not cause harmful interference to licensed utility communications networks operating in the band; and

That APPA would oppose an order issued by the Commission that 58 would allow unlicensed devices to operate in the 6 GHz band without demonstrating that AFC technology 59 will mitigate harmful interference to utility communications in real-world conditions. (2020)

RESEARCH

1. Supports adequate appropriations to carry out a positive federal program of research and development designed to protect and increase fisheries resources as part of multi-purpose river utilization; urges that federal and state fishery agencies advance with utmost vigor the study and implementation of fish farming and fish breeding practices; and opposes legislation which would grant fish preservation a higher value than all other possible project purposes. (1959, 1960, 1981, 1962, 1963)
2. Endorses advancement of an aggressive government research and development program designed to determine the usefulness of dual-purpose power and desalting projects, including investigation of small and moderate-size plants, as well as large-scale installations, and study fossil fuel heat sources in addition to nuclear energy; commends the Puerto Rico Water Resources Authority and the Los Angeles Department of Water and Power for their efforts in advancing this technology; and urges further that public agencies be given full opportunity to participate in nuclear dual-purpose water desalting and power plants. (1964)
3. Urges a large-scale research and development effort to bring electric vehicles to the market. (1966)
4. Supports a broad research and development program in the field of underground transmission to be carried out by the Department of Interior in cooperation with the research program sponsored by local publicly owned electric utilities and other segments of the electric industry. (1966)
5. Commends efforts of its members in demonstrating and using electric vehicles in their localities, supports introduction and passage of federal legislation to encourage development and use of electric vehicles, urges the Department of Transportation to demonstrate electric buses under its research program in mass transportation, and other governmental agencies, particularly the Post Office Department, to utilize electric vehicles in their work. (1967, 1969)
6. Urges that the federal government take the leadership in creating an adequately funded research and development program, including investigation of direct current conversion and nitrate recovery, and construct demonstration plants in order to accelerate progress in bringing to commercial feasibility the magnetohydrodynamics concept for central station electric service. (1970)
7. Urges the President to appoint an independent National Energy Commission to make a detailed, long-range objective study to include (a) the nation's future requirements, (b) the availability of energy resources to meet those requirement with minimal adverse effects on the environment, and (c) the scope and emphasis of research needed to provide the best utilization of the nation's energy resources; and that such a commission be directed to formulate a proposed national policy on energy development and usage which would take into account such questions as the relative values of various energy resources in light of their availability and impact on the environment, importation and exportation of energy sources, and tax incentives in the development of energy sources. (1970)

8. Supports federal government procurement of low-emission vehicles, including those powered by electricity, in order to demonstrate that such vehicles can perform without causing harmful air pollution. (1970)
9. Endorses in principle legislation introduced by Senator Magnuson and others to create a Federal Power Research and Development Board, viewing this as a supplementary method to augment the voluntary research and development program of the Electric Power Research Institute; and believes that financing of this federal research program should be on an equitable basis reflecting fairness to all electric consumers and that use of special Federal Electric Research funds should be limited to direct electric research and development. (1972)
10. Supports the adoption of a program of assistance for energy recovery through solid waste disposal. (1974)
11. Urges that the federal government fund and implement a national fuel cell program to develop fully first generation fuel cell power plants for central station electric service, to demonstrate adequately prototypes of this power plant on public power systems, and to advance new fuel cell technologies which might broaden its use and benefits. (1975)
12. Urges Congress to change the Clean Air Act so that:
 - (1) There is established an expanded and accelerated program of research, development, demonstration for the purpose of investigating air pollution effects, testing equipment intended to solve verified problems, and designing of facilities which will better protect the public interest in minimizing adverse effects of air pollution.
 - (2) The purpose of the Act is to protect air by establishing national standards of performance for new sources of air pollution and to enhance air quality be attainment and maintenance of national ambient air quality standards established to promote the public health and welfare and productive capacity of the nation's population and resources.
 - (3) New standards for pollutants shall be set when there is scientific, economic, and technological data to justify the setting of such standards.
 - (4) On the basis of examining the economic impact of achieving a state implementation plan and the availability of low sulfur fuels and pollution control equipment availability, states should be required to revise their implementation plans.
 - (5) The use of intermittent controls on steam electric power plants is permitted until permanent reduction control systems are proved reliable and economically justifiable.
 - (6) After considering health factors, fuel availability and economic impact of retaining current deadlines, the administrator of the Environmental Protection Agency shall extend deadlines for compliance with the act if it is in the public interest. (1975)

13. Supports the activities of the Energy Research and Development Administration and other federal agencies carrying out energy research, development, and demonstration, and urges that publicly owned electric utilities be given full opportunity to participate in cooperative projects authorized by the Congress including demonstration units involving solar, geothermal, ocean temperatures, wind, solid waste, magnetohydrodynamics, fuel cells, waste heat, modular integrated utility systems, and energy conservation. (1975)
14. Urges Congress to enact legislation authorizing grants and loan guarantees to state and local governments to develop solid waste utilization and energy recovery systems, and to operate and maintain such systems. (1976)
15. Supports the concept of a National Coal Conversion Program to promote national energy self-sufficiency and to conserve scarce domestic petroleum and natural gas, but believes that no electric utility should be required to convert an existing generating unit to burn coal or to construct a new generating unit with capacity to burn coal until there is a determination that (a) sufficient quantities of reasonably priced coal are available, (b) reliable and economic transport of the coal is possible, (c) environmental impact of the proposed use of coal is acceptable, (d) the conversion is economically feasible, and (e) proper construction and operating permits can be obtained. (1976)
16. Supports a federal program to provide study grants to municipalities for testing the feasibility of municipal district heating systems and revolving fund of low-interest loans to municipalities for the construction and refurbishment of municipal district systems. (1980, 1981)
17. Supports the research efforts of the interagency task force on acid precipitation and urges acceleration of the study from 10 years to five years, as well as the provision of all necessary funding; urges that federal research focus not only on the causes and effects of acid precipitation, also on examining the relative effectiveness and cost-efficiency of cautious strategies to remedy harmful effects from acid precipitation; believes that if controls are shown necessary and effective controls are adopted, they should be required of all sources, utility and industrial, in defined source regions, commensurate with their contribution to the problem; and opposes the premature enactment of legislation requiring immediate SO₂ emission reduction from utilities at great cost and uncertain benefit. (1982)
18. Urges Congress and the Department of Energy to sponsor and support legislation to:
 1. increase funding and support of federal electric vehicle and advanced battery development programs, especially the nickel-iron and sodium-sulfur battery programs; and
 2. include electricity as a clean alternate fuel in any clean fuel bills. (1988)
19. Calls for increased and sustained funding for electric and magnetic field health effects research on the part of individual electric utilities, the electric power research institute, and the federal government. (1988)
20. Supports efforts to provide timely, accurate, and complete information on electric and magnetic field effects research to electric consumers and the general public. (1988)

21. American Public Power Association shall:
1. Support the commercial development of multi-megawatt fuel cell power plants;
 2. Communicate public power's commitment to the fuel cell option to any party in a position to promote its commercial availability;
 3. Continue to seek financial support to demonstrate fuel cell power plants from appropriate entities, including , but not limited to manufacturers of fuel cell equipment, the Electric Power Research Institute, interested public power systems, the Congress and appropriate agencies of the government; and
 4. Keep its membership informed on a timely basis of the opportunities to promote fuel cell development and the status of the technology's commercial readiness. (1988)
22. Urges Congress and the Department of Energy to sponsor and support legislation to:
1. Increase funding and support of federal electric vehicle and advanced battery development programs, especially the nickel-iron and sodium-sulfur battery programs; and
 2. Include electricity as a clean alternate fuel in any clean fuel bills. (1988)
23. Supports the three year study of electric utility emissions contained in the Administration toxic air pollutants proposal and urges Congress to reject the application of toxic air requirements to electric utility facilities as proposed in S. 1630 as excessively costly, premature, and inconsistent with the alleged objective of providing flexibility for utility compliance with acid rain controls. (1990)
24. Urges Congress, the Department of Energy, the Department of Transportation and other appropriate federal departments and agencies to support efforts to:
- o Recognize the energy security and environmentally benefits of the use of electricity as a transportation fuel;
 - o Identify the most promising opportunities for the substitution of electricity for conventional transportation fuels; and
 - o Provide policy guidance, research and development assistance and other support to complement the efforts of the private sector to develop and/or commercialize technologies relying on electricity as a transportation fuel. (1990)
25. Recommends that an expanded and accelerated national research program be established to address and resolve the growing concern about the possible health effects from electric and magnetic fields (EMF). (1990)
26. Supports the establishment of a coordinated research, control and education program to identify and implement the best management practices for the control of the zebra mussel and other nonindigenous aquatic species in the United States. (1990)
27. Supports a national strategy to address and resolve the questions regarding the health effects, if any, of electric and magnetic fields (EMF), consisting of the following elements:

1. An aggressive Congressional campaign to ensure sufficient federal funds to (a) launch and successfully complete an EMF national research program and (b) continue support for existing federal EMF programs that meet objectives set for them by Congress and the scientific community;
 2. The EMF national research program shall be equally funded through federal appropriations and voluntary contributions from non-federal entities such as electric utilities, manufacturers of appliances and electrical equipment, computer manufacturers, labor unions, consumer groups and other organizations, with funds administered by an independent research institution;
 3. A continued and more aggressive program to collect and disseminate information on EMF to all APPA members; and
 4. The preparation of materials to assist APPA members in educating their employees and their consumers regarding EMF, including the development of model policies and protocols for responding to customer requests for EMF measurements. (1991)
28. Urges the APPA EMF Task Force to consider other activities that might be incorporated in this national EMF strategy and to report on the results of its deliberations at the next Legislative and Resolutions Committee meeting. (1991)
29. Supports the prompt development of a national energy policy that includes the following balanced consumer provisions for end-use efficiency, renewable resources, advanced generating technologies, and efficiency of utility supply. Combined, these policies will increase energy and economic efficiency and improve our national energy security with limited impact on the environment.
- o **Strategy Development.** To ensure a balanced and unbiased approach, enhanced energy policy discussions and informational briefings between the Department of Energy (DOE), the American Public Power Association (APPA), public power utilities, and the Office of Management and Budget (OMB) are necessary.
 - o **End-Use Efficiency.** In order to ensure the wise use of existing resources, any national energy plan should include:
 1. national labelling requirements and reasonable standards for lighting, windows and appliances that are periodically revised to recognize technological advancements;
 2. improved distribution and availability of compact fluorescent light bulbs and other efficiency equipment;
 3. facilitation of the use of conservation and energy efficiency equipment by providing that utility rebates are not considered taxable income;
 4. sufficient and stable funding of federal programs designed to offset the cost of energy consumption and energy efficiency investments for low-income households;

5. an appropriate and achievable increase in the Corporate Average Fuel Economy (CAFE) standard for automobiles and the "crediting" of electric vehicles in the calculation of CAFE standards;
 6. federal research for the development of electric vehicles, including development of cost-effective batteries;
 7. technical assistance for the development and use of integrated resource planning by electric utilities;
 8. national home energy efficiency guidelines for new home construction that can be used in the development of climate- and locale-specific standards; and
 9. federal energy efficiency standards for mobile, manufactured, and public housing.
- o **Renewable Technologies.** Utilization of renewable resources reduces dependence on unstable foreign energy supplies and emissions of pollutants. Steps must be taken to fully utilize existing renewable resources and facilitate the development and use of additional renewable resources. Such steps should include:
 1. preservation of existing policies governing the sale of federal hydropower and proper maintenance and cost-effective upgrading of existing federal hydroelectric facilities to maintain the efficient use of this precious resource;
 2. prevention of the decentralization of the Federal Energy Regulatory Commission (FERC) hydroelectric licensing process;
 3. an expanded partnership program between federal and non-federal participants for the demonstration of emerging renewable technologies;
 4. reasonable incentives, equally afforded to all utilities, to defray the cost of installing renewable technologies; and
 5. expanded federal research and development in renewable technologies.
 - o **Advanced Generating Technologies.** Advanced technologies and transportation policies are needed to promote the efficient use of traditional fuels, including coal, gas, and uranium. Specific program needs include:
 1. federal assistance for the development and demonstration of utility-scale fuel cells;
 2. continued federal cost-sharing of advanced clean coal technologies;
 3. a rational federal resolution of the so-called WEPCO controversy that allows cost-effective, and frequently environmentally beneficial, modifications and refurbishments of existing generating facilities;
 4. Federal eminent domain authority for the construction of coal slurry pipelines;

5. the development and licensing of standardized, passively safe nuclear generators;
and

6. the timely development of an acceptable nuclear waste program.

- o **Efficient Use of Utility Facilities.** In order to avoid unnecessary duplication of existing and future utility facilities and to maintain competition and diversity in the electric utility industry, a national energy policy should:
 - 1. establish policies and procedures to ensure access to existing surplus transmission capacity is made available to all utilities under just, reasonable and non-discriminatory terms and conditions and provide for the construction of future transmission capacity on a jointly planned basis; and
 - 2. remove the discriminatory restrictions placed on private use of public power facilities financed with tax-exempt bonds in order to promote the efficient sizing and use of these facilities.
- o **Effective Regulation.** To protect the interest of consumers, effective regulation of electric utilities by independent regulatory commissions such as the Federal Energy Regulatory Commission and the Securities and Exchange Commission, must be preserved. (1991)
- o **Strategy Development.** To ensure a balanced and unbiased approach, enhanced energy policy discussions and informational briefings between the Department of Energy (DOE), the American Public Power Association (APPA), public power utilities, and the Office of Management and Budget (OMB) are necessary.
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 - 1. national labelling requirements and reasonable standards for lighting, windows and appliances that are periodically revised to recognize technological advancements;
 - 2. improved distribution and availability of compact fluorescent light bulbs and other efficiency equipment;
 - 3. facilitation of the use of conservation and energy efficiency equipment by providing that utility rebates are not considered taxable income;
 - 4. sufficient and stable funding of federal programs designed to offset the cost of energy consumption and energy efficiency investments for low-income households;
 - 5. an appropriate and achievable increase in the Corporate Average Fuel Economy (CAFE) standard for automobiles and the "crediting" of electric vehicles in the calculation of CAFE standards;
 - 6. federal research for the development of electric vehicles, including development of cost-effective batteries;

7. technical assistance for the development and use of integrated resource planning by electric utilities;
 8. national home energy efficiency guidelines for new home construction that can be used in the development of climate- and locale-specific standards; and
 9. federal energy efficiency standards for mobile, manufactured, and public housing.
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 1. preservation of existing policies governing the sale of federal hydropower and proper maintenance and cost-effective upgrading of existing federal hydroelectric facilities to maintain the efficient use of this precious resource;
 2. prevention of the decentralization of the Federal Energy Regulatory Commission (FERC) hydroelectric licensing process;
 3. an expanded partnership program between federal and non-federal participants for the demonstration of emerging renewable technologies;
 4. reasonable incentives, equally afforded to all utilities, to defray the cost of installing renewable technologies; and
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 3. a rational federal resolution of the so-called WEPCO controversy that allows cost-effective, and frequently environmentally beneficial, modifications and refurbishments of existing generating facilities;
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1. establish policies and procedures to ensure access to existing surplus transmission capacity is made available to all utilities under just, reasonable and non-discriminatory terms and conditions and provide for the construction of future transmission capacity on a jointly planned basis; and
 2. remove the discriminatory restrictions placed on private use of public power facilities financed with tax-exempt bonds in order to promote the efficient sizing and use of these facilities.
- o **Effective Regulation.** To protect the interest of consumers, effective regulation of electric utilities by independent regulatory commissions such as the Federal Energy Regulatory Commission and the Securities and Exchange Commission, must be preserved. (1991)
30. Supports switching from fossil-fuel to electricity end uses where efficient -- the ecowatts principle -- and urges that it be pursued as one element in a three-pronged energy strategy. In addition, the strategy should encompass continued cost-effective demand side management activities to increase efficiencies in the end use of electricity, and continued research and development of technologies that focus on improving efficiencies and reducing environmental consequences at both the point of electricity generation and use. (1993)
31. Calls on the Congress to appropriate the necessary funds to implement the commercialization of electric vehicles, including support for infrastructure, development, and deployment. (1993)
32. Supports the research, development and commercialization of renewable energy technologies and programs created to promote the future use of these technologies. Specifically, APPA is strongly committed to the successful implementation of the Renewable Energy Production Incentive Program and will work with Congress and the Department of Energy to obtain secure, long-term funding of the program for qualified public power projects. (1993)
33. Urges the Department of Energy to request, and Congress to appropriate adequate, secure, and long-term funding of the Production Incentive program. APPA also urges the Department of Energy to establish rules, procedures, and policies that will promote utility confidence in programmatic funding stability. (1993)
34. Calls on the Congress and Department of Energy to ensure that the U.S. Department of Energy continues its ongoing electric and magnetic fields research efforts and that the federal portion of the National Electric and Magnetic Fields Research and Public Information Dissemination Program be funded through additional, new appropriations in order to expand and accelerate EMF research, including research on possible health effects to be undertaken under this program by the National Institute of Environmental Health Science. (1993)
35. That:

- 1) APPA reaffirms its support for an expanded and accelerated national EMF research and public information program to be funded jointly by the federal government and non-federal entities, and that working with APPA, public power systems will provide their appropriate share of the electric utility industry's proportion of the total non-federal funding for this program.
 - 2) To help meet this commitment, APPA will establish a procedure under its auspices to facilitate contributions by its members to the non-federal funding required by the Act and strongly urges every APPA member to make such a contribution. (1993)
36. APPA supports the use of commercial light water reactors as the most effective and timely method for disposal of the nation's surplus weapons-grade plutonium. APPA also supports the testing of mixed oxide fuel in a nuclear power plant to collect needed data for licensing MOX fuel, such as has been proposed by the Washington Public Power Supply System at its Plant 2 boiling water reactor located on the Hanford Reservation in Richland, WA. (1996)
37. APPA will work with its members to lead the nation to a stronger economy, a cleaner environment and a more secure future by active participation in energy research and development activities. (1997)
38. That the American Public Power Association continues its long tradition of supporting electric vehicles, specifically supports plug-in electric hybrids, will support all reasonable programs designed to promote the development of and create markets for plug-in hybrids, will look for opportunities to work with the Set America Free Initiative to promote plug-in hybrids, will encourage the Congress and the Department of Energy to pursue advance battery technologies to further improve the performance of and thus further enhance the attractiveness of plug-in hybrids, and will work with its members and others on programs to convince auto manufacturers that there is a significant market ready and anxious to purchase such vehicles. (2005)
39. That APPA urges Congress to pass legislation that would accelerate the RD&D for the capture and sequestration of CO₂ emissions from electricity generation; and
- That Congress must allow for the testing and verification of the viability of geologic storage in different regions of the country, and in multiple types of geologic formations, before requiring actions that assume the widespread practicality of geologic storage, and that Congress also must address the legal liability of the potential risks associated with CO₂ sequestration; and
- That APPA supports the fair and reasonable imposition of a small fee on electricity produced from fossil fuels to fund accelerated RD&D for CCS, provided that these funds can legally be used solely for this purpose. (2009)
40. That the APPA supports federal efforts to further the development of SMRs, including the licensing and commercialization of SMR technologies for the use of electric utilities in the US; and

That APPA supports legislation, programs, incentives, and initiatives that help facilitate accelerated SMR development and commercialization (2014)

41. That the American Public Power Association (APPA) supports an efficient and streamlined process for upgrading or expanding existing Federal Energy Regulatory (FERC)-licensed projects, consistent with environmental protection requirements of federal and state law; and

That APPA supports modernizing the hydropower licensing process to ensure licensees are credited for taking beneficial actions in advance of license renewal by having FERC recognize these “early actions” when setting the next license term; and

That APPA supports reducing the 10-year hydropower licensing process by requiring FERC to lead a consultation with agencies and tribes to set forth a schedule in each licensing proceeding for submission of all permits and authorizations required under federal law; and

That APPA supports improvements to the licensing study process, including a collection of existing studies and data to reduce duplication of existing information; and

That APPA supports the availability of trial-type hearings and alternatives whenever an agency exercises mandatory conditioning authority during a license term, and a hearing process that is fair for all parties, that requires each party to bear the burden of proof for conditions it seeks, and that is presided over by FERC’s expert administrative law judges; and

That APPA supports clarifying agencies’ statutory requirement to document how they have equally considered other public purposes of a project when setting conditions;

That APPA supports the establishment of expedited license amendment procedures that are commensurate with the scope of a proposed amendment. (2016)

42. That the American Public Power Association (APPA) supports the Administration’s efforts to undertake the second part of the Quadrennial Energy Review (QER) and welcomes the focus of QER 1.2 on electricity issues from generation to end-use; and

APPA sees evolving customer preferences, new technologies, increased government regulation, and utility workforce issues driving change in the electric utility industry; and

APPA encourages the Department of Energy (DOE) and the White House to work closely with APPA and its members throughout the QER 1.2 stakeholder engagement process; and

Based on APPA’s six external strategic initiatives under Power with Purpose, APPA and its members will educate DOE and others in the Administration on the public power business model, how public power envisions the electricity industry changing, issues DOE

needs to examine to inform its report, and what it takes to deliver essential electricity service to customers in the 21st Century; and

APPA's comments to DOE on the QER 1.2 will specifically focus on issues such as the Environmental Protection Agency's final rule to regulate carbon dioxide emissions from power plants and its impact on public power utilities, the operation of wholesale electricity and mandatory capacity markets, and the benefits and challenges of distributed generation. (2016)

43. That the American Public Power Association (APPA) continues to support the language included in the Energy Policy Act of 2005 that requires any federal agency with jurisdiction over property on which electric transmission facilities are located, to work cooperatively with the owners and operators of the facilities to implement vegetation management procedures and standards for maintaining the reliability of the facilities and urges Congress to ensure that that language is being implemented appropriately;

That APPA supports policies that provide electric utilities with transmission and distribution lines located on ROW on federal lands with reasonable certainty that the approving federal agency will respond in a timely and consistent manner;

That APPA supports legislation that would provide electric utilities with a sensible framework to manage ROW on federal lands in a consistent and reliable manner, allow for procedures to reduce delays, modify rules on liability on an immediately adjacent to ROW, and allow for training of federal personnel to ensure consistency on ROW determinations; and

That APPA supports a federal policy (whether through legislation or rulemaking) that allows utilities to immediately remove vegetation from nearby federal land to protect the electrical infrastructure from impending damage and/or destruction in an emergency situation; and

That APPA supports a federal policy (whether through legislation or rulemaking) that ensures that a utility is not liable if the federal government fails to allow the utility to manage vegetation on or adjacent to the right-of-way. (2016)

44. That the American Public Power Association (APPA) believes it is important to identify and enact improvements that support the recovery of threatened and endangered fish, plant, and wildlife populations while ensuring responsible land, resource, and water management; and

That APPA supports efforts in Congress to update and improve the Endangered Species Act (ESA) to make it more workable for all stakeholders while continuing to support the recovery of threatened and endangered species; and

That APPA will continue to actively engage with federal agencies through the public rulemaking process on any proposed ESA regulations and policies that impact public power utilities. (2016)

45. That the American Public Power Association (APPA) calls on the Department of Interior, and specifically, the Bureau of Reclamation, to comply with the law and assess Central Valley Project Improvement Act (CVPIA) Restoration Fund charges in proportion to Central Valley Project (CVP) cost allocations; and

That APPA calls on Congress to investigate the transparency of current expenditures and the disproportionate assignments of CVPIA costs; and

That APPA urges Congress to take appropriate steps to ensure the proper allocation of costs to federal power customers. (2016)

RURAL ELECTRIC COOPERATIVE

1. Urges the Congress to appropriate necessary funds for the rural electrification, the TVA, The Bureau of Reclamation, the Bonneville Power Administration, the Southwestern Power Administration and other public power projects as they may appear economically justified. (1947)
2. Endorses and urges a continuation of the REA policy of making loans for the establishment of generating and transmission cooperatives whose purpose is to provide a power supply for cooperative and public agency power systems at costs lower than they can otherwise obtain. (1950)
3. Deplores the recommendation of the Hoover Commission relative to REA abolition and transfer of funds and that the association urges Congress to reject this recommendation. (1955)
4. Opposes an increase in REA interest rates. (1958)
5. Supports construction of federal transmission lines required to give public agencies and co-ops direct access to federal power, including those facilities needed to serve adequately preference customers in the marketing area of the Southwestern Power Administration, including Kansas and Missouri; Southern Idaho consumers in the service territory of the Bonneville Power Administration; potential purchasers of Bureau of Reclamation Power in Southwestern Minnesota and Kansas; and study of the feasibility of direct service to power users in the marketing area of the Southeastern Power Administration, including Florida. (1961)
6. Urges the Congress of the United States to insure an effective generating and transmission loan program by appropriating adequate rural electrification administration loan funds, without crippling restrictions, to meet the needs of rural America for electric power. (1963)
7. Opposes any effort to bring rural electric cooperatives under the general jurisdiction of the Federal Power Commission. (1963)
8. Recommends that Congress authorize the Secretary of the Interior to build transmission lines to deliver Niagara Power to public and co-op electric systems in states neighboring New York in accordance with the intent of Congress; and urges that the power authority of the State of New York allocate Niagara Power to public agencies and co-ops in those states and assist in arranging for wheeling in the absence of federal lines. (1963)
9. Urges the power authority of the State of New York to allocate Niagara Power to public bodies and cooperatives in neighboring states and to assist these agencies in arranging for delivery of such power through wheeling arrangements such as those negotiated by Pennsylvania Rural Electric Cooperatives and through other means, including transmission by rural electric cooperatives, in the absence of federal lines. (1964)

10. Asks Congress to insure an effective generation and transmission loan program by appropriating adequate Rural Electrification Administration loan funds, without crippling restrictions, to meet the needs of rural America for electricity. (1964)
11. Believes that municipal wholesale power consumers must be served by private power companies at prices which yield the same rate of return as that realized in sales to co-ops, declares that the FPC in the St. Michaels case failed to follow the nondiscrimination mandate of the federal power act and the recommendations of the national power survey, and urges the Commission to reverse this erroneous and inequitable policy; however, APPA does not favor the raising of charges to any rural electric cooperative but seeks only to obtain for municipalities the wholesale prices to which they are entitled as a matter of law and public policy. (1966)
12. Finds that the extension of this licensing preference to rural electric cooperatives is fully consistent with the philosophy of the preference principles, and that the association supports legislation efforts to extend this preference to rural electric cooperatives. (1981)
13. Strongly opposes the Administration's plan to prohibit TVA and REA access to the FFB and urges Congress, if necessary, to specifically provide these federal agencies with access to the FFB. (1981)
14. Urges Congress to reject proposals which would artificially increase federal power rates, eliminate the REA loan and loan guarantee programs, and undermine the ability of local public power systems to finance projects utilizing tax exempt bonds, and urges the Congress to recognize the importance of maintaining diversity within the electric utility industry by rejecting all proposals which would be detrimental to the financial health of the consumer owned segment of the industry. (1985)
15. Urges Congress to reject proposals which would artificially increase federal power rates, eliminate the REA loan and loan guarantee programs and undermine the ability of local public power systems to finance projects utilizing tax-exempt bonds, and urges the Congress to recognize the importation of maintaining diversity within the electric utility industry by rejecting all proposals which would be detrimental to the financial health of the consumer owned segment of the industry. (1985)
16. Affirms the rights of municipal public power systems to provide electric service within their corporate limits and adjacent urban growth areas, and that the American Public Power Association endorses the work of the APPA/NRECA Joint Task Force on territorial disputes, and specifically encourages the resolution of such disputes at the local level through a negotiated process. (1988)
17. Reaffirms the rights of municipal public power systems to provide electric service within their corporate and adjacent areas and specifically encourages the resolution of such disputes at the local level through a negotiated process. (1990)
18. Vigorously opposed any federal legislation or regulation attempting to limit or eliminate a municipal electric utility's right to serve customers within annexed territory and/or through condemnation. (1990)

19. The Executive Director of APPA shall forthwith advise the National Rural Electric Cooperative Association of the adoption of this Resolution and the intent of APPA to vigorously oppose any efforts by NRECA or others to promote national solutions to service territory issues. (1990)
20. Establishes a Steering Committee on Territorial Issues the purpose of which shall be (a) to make recommendations to the APPA Board of Directors on programs and measures to be taken in opposition to any effort to seek national solutions to service territory and annexation issues; (b) to coordinate with the Staff of APPA in developing proposals and policy statements to assist the municipally-owned electric system members of APPA in countering positions that threaten the rights of municipal public power systems to provide electric service within their corporate limits and adjacent areas, (c) to coordinate with the APPA Legal Committee in evaluation pertinent legal issues and developing recommendations on legal or legislative issues that address service territory disputes (d) to coordinate with the Staff of APPA in responding to, or developing proposals for, the study and analysis of financial and economic issues pertinent to service territory disputes and (e) to perform such other functions as may be delegated to it from time to time by the APPA Board. (1990)
21. That in order for the American Public Power Association to: (1) adequately represent the interests of its members, (2) assist public power systems in competing for new load, and (3) protect the right of municipalities to expand, the APPA Territorial Issues Steering Committee believes that additional resources must be dedicated to develop the information necessary to assist public power systems in resolving territorial disputes at the state and local level. Specifically, the APPA staff should prepare detailed public policy, economic and legal analyses to support the positions of public power systems. (1991)
22. That the APPA Territorial Issues Task Force recommends that the Board of Directors earmark such financial and staff resources as may be necessary to accomplish in a timely fashion the objectives outlined above. (1991)
23. Should review current Rural Electrification Administration (REA) lending practices to determine whether changes are necessary to ensure that existing REA rules do not exacerbate the likelihood of territorial disputes or frustrate competition. (1991)
24. Reaffirms the rights of municipal power systems to provide electric service within their corporate limits and adjacent urban growth areas. (1994)
25. Strongly opposes legislation that would:
 1. Preempt state annexation laws and home rule provisions as provided for by some state constitutions;
 2. Prohibit condemnation of electric co-op territory when that territory is annexed by a municipality;

3. Prevent a municipality from franchising an alternative supplier to compete with the electric co-op, or prohibit the municipality from collecting a franchise fee from a co-op as a condition to operate within city limits;
4. Mandate a new review and/or approval process for territory disputes irrespective of existing state laws or constitutional provisions; and/or
5. Override or restrict, in any way, any local or state rules, regulations, ordinances, constitutional provisions or laws that have been established by a public body as a matter of public interest that govern the ability of municipal electric systems to serve all customers in their corporate limits and adjacent urban growth areas. (1994)

SITING

1. A. Believes that planning for siting of the thermal generating stations and routing associated transmission lines should provide:
 - (1) Maximum comprehensive regional and inter-regional development of sites with assured opportunity for all utilities to participate directly in the benefits of their development.
 - (2) Full compliance with applicable air, water, health and safety requirements of state and federal laws.
 - (3) Appropriate recognition of pertinent land use plans prepared by public agencies.
 - (4) Availability to electric power consumers of an assessment of the impact on rates and power availability of solutions to environmental problems connected with site selection;
- B. To insure definite decisions in a timely fashion in any regulatory review of siting of thermal generating facilities aimed at certifying sites, the process should be:
 - (1) Establishment of clear, fair, and reasonable standards by which proposed sites will be evaluated, including consideration of the long-range demand for the cost of electric power.
 - (2) Consolidation of responsibility for review in not more than a single state and single federal agency, council, or commission with authority to decide the issues involved, and to issue a specific certificate or license to authorize the construction and operation of the proposed project at the proposed site.
 - (3) Creation of a specified orderly procedure for analyzing proposed sites with a built-in time schedule for completion of various steps and reasonable limits the sums an applicant may be required to spend to prove the desirability of a proposed site.
 - (4) Assurance of a full opportunity for citizen participation in the site evaluation process.
 - (5) Insurance of "finality" at the conclusion of the procedure, assuring that the governmental, regulatory, and other agencies will be bound by the decision and that a utility may proceed to develop a site which is approved
- C. To insure implementation of these basic procedures on a uniform basis, it would be appropriate for the federal government to require that all states put the "minimum" principles into effect, to do so itself where a state fails to act; to review procedures set up by the states for the purpose of determining whether or not they meet "minimums"; and to serve as a coordinating agent for achievement of planning purposes which transcend state boundaries and involve regional, interregional, or national questions. (1970)

2. Urges the Congress to enact legislation that will require that in order to obtain a site or equity in a site to be issued for power generation, the most efficient use of existing an planned generation and transmission capacity be accomplished. To insure this most efficient use, power pooling by all utilities in any regional area, both public, private and federal agencies, is required, this shall be accomplished by joint generation, transmission and sharing of reserves. Transmission service on surplus capacity, where it exists, must be available to all at compensatory rates. Where such capacity does not exist, enlargements are not feasible, joint planning, pooling and construction of new facilities must be a requirement for site use; and supports and encourages legislation which would place the enforcement and administration of such an act with the appropriate federal agency. (1973)
3. Urges the withdrawal by the Reagan Administration and the Department of the Interior of unnecessary and duplicative regulation which impose unreasonable impediment to the construction and operation of energy projects and, prior to their re-promulgation thoroughly analyze the statutory authority for and the necessity of such regulations. (1981)
4. Urges the Secretary of the Interior to repeal final procedures under the National Natural Landmarks program on the grounds that they are unworkable, subjective and were issued in the absence of clear statutory authority. (1981)
5. Urges Congress to amend Section 503 of FLPMA to allow additional rights-of-way to be granted for electric transmission facilities across lands under wilderness review; and urges Congress to amend Section 603 of FLPMA to allow the Secretary of the Interior to administratively modify the boundaries of lands under wilderness review by a maximum of one-quarter mile in order to allow routing of a new transmission line outside of the modified wilderness boundary. (1988)
6. That APPA supports appropriate legislative language confirming that transmission owners and other load-serving entities (including public power transmission dependent utilities) that are eligible for service obligation protection under Section 1236 of the Energy Policy Act of 2003 have the unequivocal right to elect to use their physical transmission rights to meet their service obligations or, if they wish, to use tradable or financial transmission rights. (2004)
7. The American Public Power Association (APPA) encourages local utilities and communities to consider the use of LNG for electricity generation where appropriate and further, endorses expediting siting and permitting processes, as well as intense community education, for the development of LNG facilities which would serve to enhance local utilities' fuel supply and reliability. In addition, APPA supports the establishment of financial incentives to parties to encourage the development of LNG facilities and the appropriate of funding to federal agencies, as appropriate, to provide adequate resources to support the development of additional needed LNG facilities. (2004)
8. The American Public Power Association (APPA) encourages Congress to pass legislation to improve the hydropower licensing and relicensing process; streamline the permitting process for interstate natural gas pipelines; and to facilitate vegetation management near electric facilities located on federal lands; and

APPA supports the inclusion of hydropower, pipeline, and vegetation management legislation into the energy title of an infrastructure bill. (2017)

SERVICE TERRITORY

1. Affirms the rights of municipal public power systems to provide electric service within their corporate limits and adjacent urban growth areas, and that the American Public Power Association endorses the work of the APPA/NRECA Joint Task Force on territorial disputes, and specifically encourages the resolution of such disputes at the local level through a negotiated process. (1988)
2. Will vigorously oppose any federal legislation limiting or eliminating a municipal electric utility's right to serve customers facilitated by annexation and/or condemnation. (1988)
3. Reaffirms the rights of municipal public power systems to provide electric service within their corporate limits and adjacent areas and specifically encourages the resolution of such disputes at the local level through a negotiated process. (1990)
4. Will vigorously oppose any federal legislation or regulation attempting to limit or eliminate a municipal electric utility's right to serve customers within annexed territory and/or through condemnation. (1990)
5. The Executive Director of APPA shall forthwith advise the National Rural Electric Cooperative Association of the adoption of this Resolution and the intent of APPA to vigorously oppose any efforts by NRECA or others to promote national solutions to service territory issues. (1990)
6. Establishes a Steering committee on Territorial Issues the purpose of which shall be (a) to make recommendations to the APPA Board of Directors on programs and measures to be taken in opposition to any effort to seek national solutions to service territory or annexation issues, (b) to coordinate with the Staff of APPA in developing proposals and policy statements to assist the municipally-owned electric system members of APPA in countering positions that threaten the rights of municipal public power systems to provide electric service within their corporate limits and adjacent areas, (c) to coordinate with the APPA Legal Committee in evaluating pertinent legal issues and developing recommendations on legal and legislative issues that address service territory disputes, (d) to coordinate with the Staff of APPA in responding to, or developing proposals for, the study and analysis of financial and economic issues pertinent to service territory disputes, and (e) to perform such other functions as may be delegated to it from time to time by the APPA Board. (1990)
7. That in order for the American Public Power Association to: (1) adequately represent the interests of its members, (2) assist public power systems in competing for new load, and (3) protect the right of municipalities to expand, the APPA Territorial Issues Steering Committee believes that additional resources must be dedicated to develop the information necessary to assist public power systems in resolving territorial disputes at the state and local level. Specifically, the APPA staff should prepare detailed public policy, economic and legal analyses to support the positions of public power systems. (1991)
8. That the APPA Territorial Issues Task Force recommends that the Board of Directors earmark such financial and staff resources as may be necessary to accomplish in a timely fashion the objectives outlined above. (1991)

9. Should review current Rural Electrification Administration (REA) lending practices to determine whether changes are necessary to ensure that existing REA rules do not exacerbate the likelihood of territorial disputes or frustrate competition. (1991)
10. Reaffirms the rights of municipal power systems to provide electric service within their corporate limits and adjacent urban growth areas. (1993)
11. Strongly opposes the provision in the House Budget Reconciliation bill that preempts state annexation laws and home rule, which is provided by some state constitutions, and (1) prohibits the condemnation of electric co-op territory when that territory is annexed by a municipality, (2) prevents the imposition or collection of a franchise fee from the co-op as a condition to operate within city limits, and (3) prevents a municipality from franchising an alternative electric supplier to compete with the electric co-op. (1993)
12. Reaffirms the rights of municipal power systems to provide electric service within their corporate limits and adjacent urban growth areas. (1994)
13. Strongly opposes legislation that would:
 1. Preempt state annexation laws and home rule provisions as provided for by some state constitutions;
 2. Prohibit condemnation of electric co-op territory when that territory is annexed by a municipality;
 3. Prevent a municipality from franchising an alternative supplier to compete with the electric co-op, or prohibit the municipality from collecting a franchise fee from a co-op as a condition to operate within city limits;
 4. Mandate a new review and/or approval process for territory disputes irrespective of existing state laws or constitutional provisions; and/or
 5. Override or restrict, in any way, any local or state rules, regulations, ordinances, constitutional provisions or laws that have been established by a public body as a matter of public interest that govern the ability of municipal electric systems to serve all customers in their corporate limits and adjacent urban growth areas. (1994)
14. That the APPA urges the FERC to revise its standards for the review of merger applications to ensure that the FERC specifically examines the effect of each proposed merger on the structure of each relevant generation market and that the FERC states that it will reject these mergers which appear to truly diminish the sources of uncommitted generating capacity to the ownership of unacceptably few entities in the relevant geographic markets. (1996)

TRANSMISSION

1. Believes the federal government should construct and own any transmission lines economically necessary for the proper integration and operation of these federally owned power generating plants; public agencies and cooperatives should (if they desire) have a preferred right to construct transmission lines from these power plants and integrating lines, and such agencies should be willing to provide transmission upon reasonable terms to other public agencies and cooperatives within the area of these lines, and thus afford them access to federally produced power; and where existing transmission facilities are available for connection to these power producing plants and integrating transmission lines, and have excess capacity available, and the owners of such lines are willing to enter into transmitting agreements, such agreements should be entered into; provided however, that:
 - (1) such agreements will result in federally produced power being made available to preference users, at more remote points, and at costs not higher than would result from the construction of transmission lines to these preference customers by the federal government or by public agencies or cooperatives.
 - (2) that such agreements will not impose upon preference customers, the federal government or anyone who may purchase this power, any costs, charges or penalties not directly a part of the cost of transmission;
 - (3) that such agreements shall not include any repudiation or limitation, by inference or otherwise, of the preference rights of public agencies or cooperatives to obtain federal power;
 - (4) that in any such agreement the participation of the transmitting agency is clearly recognized and defined as that only of a "contract carrier." Services rendered beyond transmission service are proper subjects of mutual agreement. (1950)
2. Favors transfer of the ownership and operation of federally owned power transmission facilities to a state power authority or a publicly owned agency in those cases in the Pacific Southwest where such transfer will be in the best interests of the power users served by such facilities, provided: (1) that the preference rights of publicly owned electric utilities and cooperatives in the service area shall not be adversely affected by such transfer; and (2) that the federal government shall be paid the full amount of any remaining unamortized construction cost of such facilities. (1955, 1956, 1957, 1958)
3. Favors the construction of Fort Randall-Grand Island 230 kv transmission line by the Bureau of Reclamation. (1955, 1956, 1957)
4. Urges Congress to authorize and construct transmission lines to facilitate the wholesale marketing of power from the Canyon Ferry Dam in Montana, Anderson Ranch Dam in Idaho, and Clark Hill Dam in South Carolina and Georgia so as to benefit the greatest number of people and particularly the consumer owned electric systems, in order to insure that these dams are maintained on a sound business basis. (1955)
5. Urges the Department of the Interior or other appropriate federal agency be empowered by Congress to provide for the marketing and wheeling of this power to the preference customers involved. (1956)

6. Endorses the public construction of an interconnection between the federal power systems of the Northwest and California which will be a common carrier of sufficient capacity to ensure obtaining the optimum benefits and which will ensure that the use of the line will be limited to the interchange of exportable surplus power for which there is no market in the region of origin at the time of export. (1959, 1960)
7. Urges the Department of the Interior to forthwith establish and publish a revised policy covering the use of federally owned transmission lines which will fully recognize the principle and advantages of reciprocal displacement in the flow of electric power over interconnected transmission lines. (1959, 1960, 1961, 1962, 1963, 1964)
8. Urges that Congress amend the Niagara Act so as to authorize the Secretary of the Interior to build transmission lines or otherwise arrange for the transmission of Niagara power so the intent of Congress may be carried out. (1959, 1960, 1961, 1962)
9. Urges the Congress to appropriate sufficient funds for initiating federal construction of transmission facilities for the delivery of Colorado River Storage Project power. (1960)
10. Urges the Congress to eliminate the wheeling provision contained in past public works appropriations acts so as to permit the federal government to spend funds for the construction of direct service facilities wherever wheeling arrangements with private agencies are determined to be more costly than construction of federal facilities. (1960, 1961, 1962)
11. Supports the creation of a nation-wide, common-carrier transmission grid and urges that the federal government initiate steps for the implementation of this concept, including the interconnection of present federal generating systems. (1961, 1962, 1963, 1964)
12. Supports construction of federal transmission lines required to give public agencies and co-ops direct access to federal power, including those facilities needed to serve adequately preference customers in the marketing area of the Southwestern Power Administration, including Kansas and Missouri; Southern Idaho consumers in the service territory of the Bonneville Power Administration; potential purchasers of Bureau of Reclamation Power in Southwestern Minnesota and Kansas; and study of the feasibility of direct service to power users in the marketing area of the Southeastern Power Administration, including Florida. (1961)
13. Recommends that Congress authorize the Secretary of the Interior to build transmission lines to deliver Niagara power to public and co-op electric systems in states neighboring New York in accordance with the intent of Congress; and urges that the Power Authority of the State of New York allocate Niagara power to public agencies and co-ops in those states and assist in arranging for wheeling in the absence of federal lines. (1963)

14. Urges the Department of the Interior to establish a revised policy covering the use of federally owned transmission lines which will fully recognize the principle and advantage of reciprocal displacement in the flow of electric power over interconnected transmission lines. (1963)
15. Recommends federal construction of transmission facilities required to firm hydroelectric power in the Missouri River Basin, and requests public hearings in the region on proposed facilities. (1963)
16. Endorses legislation that would require private power companies to obtain a certificate of convenience and necessity from the Federal Power Commission for all interstate lines 230 kv and above while preserving the traditional self-regulating status of public agencies, who possess a statutory exemption under Part I of the Federal Power Act and such certificates would be conditioned to require that capacity not needed for transmission of electric energy in the ordinary scope of the applicant's business shall be made available on a common carrier basis, and that service over the facilities shall not be abandoned or curtailed without prior approval of the Commission. (1963, 1964)
17. Urges the Power Authority of the State of New York to allocate Niagara power to public bodies and cooperatives in neighboring states and to assist these agencies in arranging for delivery of such power through wheeling arrangements such as those negotiated by Pennsylvania rural electric cooperatives and through other means, including transmission by rural electric cooperatives, in the absence of federal lines. (1964)
18. Urges the elimination of the so-called "Keating Amendment", contained in past public works appropriations bill, because this provision which prohibits the Bureau of Reclamation from constructing transmission lines in areas where a wheeling contract exists, has resulted in excessive charges to the government and its power customers. (1964)
19. Supports a broad research and development program in the field of underground transmission, with the cooperation of the local publicly owned electric utilities and other segments of the electric industry. (1966)
20. Urges that Congress consider: (a) enactment of legislation conferring on the Federal Power Commission authority to establish minimum standards for design and operation of interconnected electric systems and regional power pools, and to adhere to these standards; (b) encouragement of local electric utilities to provide power for public facilities, such as hospitals, airports, transit systems, elevators, etc, in the event of emergency; (c) creation of a National Defense Electric Transmission System; (d) support for further study of the use of direct current transmission; and (e) accelerated federal development of economically and technically feasible hydroelectric sites. (1966)

21. Urges the Secretary of the Interior to adopt a policy of providing an engineering and economic analysis of each major power contract proposed by a Federal Power Marketing Agency to show the purpose of the contract and the economic effect over the life of the proposed contract, and to furnish a copy of this analysis to each of the parties directly affected and to the public generally and to permit a reasonable period for comments; and recommends that the Secretary of the Interior incorporate into the declared federal power policy of the Department of the Interior a set of criteria or standards for power pooling, exchange, or coordination contracts which will achieve benefits to preference customers not less than would be achieved by a federal transmission system at federal cost; and urges the Southwestern Power Administrator to insure that any proposed SPA-company contract (a) include all present and future public and cooperative electric systems in the entire SPA marketing area including Louisiana and Kansas; (b) incorporate provisions for standby power to preference customers; and (c) provide for wheeling and interchange among preference customers and SPA. (1966)
22. Endorses programs which would provide an adequate network of extra high voltage interconnection within the northeastern states to make available low cost thermal power from Appalachia and low cost hydro resources from Canada; and supports the construction of the necessary extra-high voltage transmission facilities interconnecting the Dickey-Lincoln Schollo project in Maine with major southern New England load centers coincidental with construction of the project to facilitate marketing of power from Canada prior to completion of the Dickey-Lincoln School project. (1966)
23. Urges that studies be initiated to determine the feasibility of continuing the Fort Thompson, S.D.-Grand Island, Neb. 345-kv federal transmission line into central Kansas. (1967)
24. Approves the principle involved in legislation authorizing the FPC to determine whether pooling, coordination, and interconnection agreements will unduly restrain competition provided such legislation (1) sets up procedures which give adequate opportunity for hearing to those affected by the agreements and their subsequent administrations, (2) requires concurrence by the department of justice in any Commission hearing, (3) provides for continuing scrutiny, including the right of review, of the administration of the agreements, and (4) provides a time limit within which the Commission must act; and urges that any such legislation be premised on a clearly established federal policy on a public utility responsibility for wholesale power supply for smaller retail electric distribution systems for the nation, and the terms and conditions under which such responsibility shall be exercised. (1967)
25. Endorses the objectives of S. 1934 and similar bills but believes that aims of the proposed legislation could be best achieved by the following:
 1. Voluntary regional organizations with open membership should be formed for the purpose of coordinating generation and transmission plans. Planning meetings should be open and plans made available for public inspection.
 2. Refusal of a planning organization to permit any utility, regardless of size, or an appropriate representative of a group of utilities, to participate in a meaningful manner should be illegal and grounds for complaints to commissions and courts.

3. The federal government should be empowered, following consultation with all segments of the electric utility industry, to set guidelines for proper planning, including comprehensive development tests and reliability standards; required to review and report on the planning process and product; and authorized to take appropriate action to correct conditions found contrary to established national goals as expressed in the guidelines.
 4. Continued failure of utilities in any region to initiate and implement planning consistent with national goals should constitute grounds for federal formulation of effective plans and their application through appropriate action.
 5. All extra-high volume transmission lines 200 kv and above should be power resources for the purpose of making available an abundant, low-cost, and reliable supply of electric energy. To the extent economically feasible, planning for every EHV facility should take into account all capacity needs within the affected areas and reasonable provisions should be made for expansion to meet future load.
 6. Administrative and legal remedies should be available to any utility which is unreasonably and discriminatively treated in the planning and operation of transmission facilities, or is denied opportunity to use excess capacity in an existing line upon proper payment.
 7. In planning and construction of transmission lines, appropriate consideration should be given to conservation of land, scenic, and other limited resources.
 8. Any extra-high voltage transmission line not consistent with an approved regional plan should not be constructed until such line has received certification from the Federal Power Commission. Provision should be made to expedite FPC action on such certification applications.
 9. The FPC should be empowered, on its own motion or upon complaint, to require the provision of needed reserves between utilities unless it finds that this would result in an undue burden on the involved utility.
 10. The electric industry and government should support a vigorous research program to (a) solve technical and economic problems and undergrounding transmission lines in areas of esthetic significance, including multiple use of tubes or tunnels for common conveyance of electric lines and other public utility services in metropolitan areas; (b) investigate the feasibility of transmission corridors which would group and channel overhead lines, possibly along highways or existing rights-of-way for other utility services where practical, so as to minimize their impact on land use and esthetic values; (c) study the possibility of designating and withdrawing from other future use land required for major transmission routes; (d) stimulate development and use of improved technology and design for transmission structures. (1968)
26. Urges the Department of the Interior and its electric power marketing agencies in the western states to refine, on a yearly basis, "Transmission Study 190" which outlines the transmission needs of the utility systems operating in the West, so as to encourage implementation of the study on the basis of timely load and generation data. (1969)
27. Supports the Yankee-Dixie, Inc. proposal for an East Coast transmission line and urges that the Congress immediately initiate a study of the need and desirability of such a line in the public interest and make recommendations to the appropriate federal agencies for the necessary plans for financing and constructing such a line. (1970)

28. Declares support for the accelerated construction of a high-voltage national power grid, managed so as to provide service to all utilities on a common carrier basis. (1972)
29. Commits itself to protecting the public interest at this crucial point in the development of the electric power industry and pledges itself to be a program of action, including the enactment of legislation if it proves to be necessary to make certain that power pools, if and as they are created, do achieve the legitimate requirements of the public generally. Reasserts its support for the authorization and construction of a publicly financed national power grid and the creation of regional publicly financed power supply agencies as the simplest and most appropriate method of fulfilling public interest requirements. (1972)
30. Urges the Congress to enact legislation that will require that in order to obtain a site or equity in a site to be issued for power generation, the most efficient use of existing an planned generation and transmission capacity be accomplished. To insure this most efficient use, power pooling by all utilities in any regional area, both public, private and federal agencies, is required, this shall be accomplished by joint generation, transmission and sharing of reserves. Transmission service on surplus capacity, where it exists, must be available to all at compensatory rates. Where such capacity does not exist, enlargements are not feasible, joint planning, pooling and construction of new facilities must be a requirement for site use; and supports and encourages legislation which would place the enforcement and administration of such an act with the appropriate federal agency. (1973)
31. Urges the enactment of amendments to the Federal Power Act, or action by the Commission, assuring fair treatment of wholesale purchasers of electric energy from private power companies. These amendments or actions should accomplish the following purposes:
 - (1) No wholesale rate increase, or any part thereof, filed under Section 205 of the Federal Power Act, shall become effective until completion of hearings and a final order of the Commission.
 - (2) Authority be given to the Commission to order wheeling over the transmission lines of jurisdictional utilities on reasonable terms and conditions.
 - (3) The Commission be authorized to grant access to power pools for utilities wishing to participate as members of such power supply or planning entities.
 - (4) The Commission be directed to monitor and audit fuel purchasing and the operation of fuel adjustment clauses of jurisdictional utilities and, on its own motion or that of an affected wholesale customer, correct any situation which is to be found anti-competitive in nature, represents less than arms-length bargaining for fuel procurement, or prohibits the use of the lease expensive fuel.
 - (5) Inclusion of construction-work-in-progress and use of future test years by jurisdictional utilities be prohibited in setting wholesale power rates.
 - (6) The Commission be authorized to (a) insure continuity of service to wholesale purchasers of power, (b) require jurisdictional utilities to report promptly any anticipated deficiencies of power, (c) require jurisdictional utilities projecting deficiencies to file curtailment plans which would require curtailment of retail customers by both the supplier and wholesale purchaser on proportionate nondiscriminatory basis, and (d) order interconnections, pooling, wheeling, or transmission service, to alleviate projected deficiencies.

- (7) The Commission should reject any rate increase filing which places customers in a "price squeeze" situation whereby high wholesale rates may prevent a purchaser of wholesale power from competing at retail with its supplier. (1975, 1976)
32. Endorses provisions of President Carter's proposed National Energy Act which allow the Federal Power Commission to order electric utilities to provide pooling, wheeling, and coordinating services to other electric utilities and cogenerators. (1977)
33. Urges Congress to enact legislation providing it shall be a federal criminal offense to sabotage, vandalize or otherwise unlawfully interfere with the construction, operation and maintenance of high voltage transmission lines and associated substation facilities. (1980)
34. Believes that the federal government, acting through the power marketing administrations or the Tennessee Valley Authority, is not required to prepare an environmental impact statement (EIS) prior to entering into wheeling contracts over existing transmission facilities with non-federal entities and will oppose legal or legislative efforts designed to force an EIS with respect to such contracts. (1984)
35. Supports the enactment of H.R.5608, the "Electric Utility Transmission Reform Act of 1984", and commends Rep. Matsui for its introduction. (1984)
36. Recommends passage of necessary legislation to amend existing law to give the Federal Energy Regulatory Commission workable authority to order transmission service on fair and nondiscriminatory terms to all sectors of the industry; and recommends the transmission task force study a method for insuring that all future extra high voltage transmission lines be sized to meet the reasonably foreseeable needs of all utilities in the area upon payment of appropriate compensation and that access to such lines would be provided to all systems requesting it on just and reasonable terms; and endorses the establishment of an information data base covering transmission and wheeling contracts and urges the Federal Energy Regulatory Commission to publish this information in a tabular form setting forth the key elements in each arrangement and the conditions pertaining to each type of service. (1984)
37. Supports construction of the Midwest/New England transmission line and associated acid deposition controls. (1988)
38. Supports efforts to enhance competition in the electric utility industry, and calls on the FERC to withdraw its proposals, and join with other interested agencies and organizations in seeking ways to ensure equitable availability of transmission service to all electric utilities. (1988)
39. Supports legislative and regulatory actions which would open access to and benefits from the Midwest/New England transmission line to utilities in areas along the route of the transmission line; and encourages all appropriate federal and state agencies and institutions to assist in the siting, planning and construction of this project. (1988)
40. Urges Congress to amend Section 503 of FLPMA to allow additional rights-of-way to be granted for electric transmission facilities across lands under wilderness review; and urges Congress to amend Section 603 of FLPMA to allow the Secretary of the Interior to administratively modify the boundaries of lands under wilderness review by a maximum

- of one-quarter mile in order to allow routing of a new transmission line outside of the modified wilderness boundary. (1988)
41. The Commission is urged to reject the proposed merger, or to accept it only subject to conditions which fully protect the public interest, such conditions to include the requirement that the merged corporation provide transmission and coordination services to all regional utilities on the same basis as those services are provided to the two utilities (UP&L and PP&L) comprising the new utility corporation. (1988)
 42. Supports efforts to enhance competition in the electric utility industry, and calls on the FERC to withdraw its proposals, and join with other interested agencies and organizations in seeking ways to ensure equitable availability of transmission service to all electric utilities. (1988)
 43. Urges Congress to resist attempts to amend the Public Utility Holding Company Act unless and until a clear and convincing case has been made that any proposed amendments are essential to permit independent power producers to construct bulk power facilities, and that such amendments are in the public interest and fully protect interests of consumers, and, that amendments to PUHCA designed to provide an exemption for independent power producers under the guise of promoting competition must be linked to statutory provisions ensuring fair, nondiscriminatory access to transmission facilities between IPP's and potential wholesale power purchasers and APPA will strongly oppose any such amendments absent such linkage. (1989)
 44. Reaffirms its belief that a fair, nondiscriminatory transmission access policy is the fundamental element necessary to create a competitive bulk power market. (1990)
 45. Will continue to oppose the formation of utility affiliate bulk power production facilities, absent the full application of the consumer protections of PUHCA, unless those amendments foster fair competition and prevent anti-consumer practices, specifically through the provision of fair, nondiscriminatory transmission access for bulk power producers and electric utility bulk power purchasers. (1990)
 46. Reaffirms its support for legislation, such as the bill recently introduced by Rep. Markey, expanding the authority of the Federal Energy Regulatory Commission to permit the Commission, on a case-by-case basis, to order utilities to provide transmission access on just and reasonable rates, terms and conditions. Such authority should be limited to wholesale transactions, ensure protection of system reliability, and ensure that the customers of the utility subject to the order do not suffer undue economic hardship. (1991)
 47. Recommends that appropriate legislation be introduced in Congress to provide guidance to the Federal Energy Regulatory Commission (FERC) and the Securities Exchange Commission (SEC) on the meaning of the "public interest" as that term is used in the Public Utility Holding Company Act (PUHCA) and Federal Power Act with regard to the use of publicly created transmission rights-of-way and fairly priced non-discriminatory access to facilities that are part of a regional interconnected bulk power transmission grid. (1991)
 48. Reaffirms its support for cost-based rates and urges the Federal Energy Regulatory Commission to support cost-based transmission rates and to reject opportunity cost pricing

- as unjust, unreasonable, anti-competitive and perpetuating rather than eliminating monopoly control over essential transmission facilities. (1992)
49. Continues to support enactment of legislation expanding the authority of the Federal Energy Regulatory Commission to require utilities to provide fair, reasonable and nondiscriminatory transmission access while fully protecting reliability of service. (1992)
 50. Supports an amendment to such legislation establishing a FERC role in reviewing and approving the creation and operation of voluntary transmission associations. Such an amendment should provide for the following:
 1. Membership in a voluntary association shall not discriminate against any electric utility, federal power marketing administration, state power marketing agencies, qualifying facility or independent power producer located in or adjacent to the geographic region covered by the association.
 2. The ability to obtain fair, reasonable and non-discriminatory transmission access for association members shall be no less comprehensive than their ability to obtain such access pursuant to the exercise of FERC authority. FERC shall initially certify such association and shall retain jurisdiction to entertain claims from association members that the association is no longer operating consistent with FERC-approved guidelines.
 3. Association members shall not be entitled to request FERC to exercise any new transmission access jurisdiction to resolve disputes involving other association members. However, non-members shall retain their right to seek a FERC order against any member of such an association.
 4. The association shall provide for a dispute resolution mechanism, which may include binding arbitration and which may also entail some level of appropriate FERC review.
 5. Association members shall provide access when capacity is available on existing facilities or accept a good faith obligation to build additions to handle requests for service.
 6. The association shall provide a framework for coordinated transmission planning for all its members. (1992)
 51. Urges the House and Senate conferees on the comprehensive national energy policy act to resolve their differences on the following issues as set forth below:
 1. Transmission access: Support the House transmission access provisions and support an amendment providing for FERC-sanctioned regional transmission associations consistent with the 1992 APPA resolution entitled "Alternative Transmission Access."
 2. Public Utility Holding Company Act: Accept the House provisions on self-dealing and to reject any compromise that amends PUHCA if strong and effective transmission access provisions are not also included. (1992)

52. Supports the development of a vigorous electric bulk power market and opposes stranded generation investment charges including in particular as an addition to transmission charges or as an exit fee because they are inconsistent with such a market and would have serious anti-competitive effect. (1994)
53. Opposes the imposition by the Federal Energy Regulatory Commission of stranded investment charges for new electric utility wholesale customers. (1994)
54. Continues to support actively the development and implementation by FERC of non-discriminatory, open transmission access policies and the creation of competitive regional bulk power markets that will result in an efficient utilization of regional electric resources through power pooling or market mechanisms, or both. (1994)
55. Supports efforts by public power systems and others to gain the benefits of competition in generation construction and long-term power procurement through competitive bidding and their processes. (1994)
56. Will not support mandated retail wheeling until such time as:
 - a. Non-discriminatory, open transmission access is available to all electric utilities and other sellers of power and energy at wholesale, that eliminates all advantages for transmission owners in bulk power markets derived from their ownership and control of transmission;
 - b. Fully competitive, regional bulk power markets have been developed that result in an efficient utilization of regional resources to meet regional load through pooling or market mechanisms, or both;
 - c. Issues related to the obligation of a utility to provide service and to protection of small industrial, commercial and residential customers have been resolved in a way that is fair to all electric utilities and customer classes; and
 - d. A thorough analysis has been completed that (i) demonstrates that significant cost and efficiency gains are likely to occur as a result of retail wheeling for the benefit of all electric end-users, above and beyond the benefits that are achieved through the combination of open, non-discriminatory transmission access, competitive regional bulk power markets and competition in the construction of new generation and procurement of long-term power, and (ii) resolves the potential adverse impact of retail wheeling on achievement of state and national environmental goals, demand-side management programs and the development of cost-effective renewable technologies. (1994)
57. That the APPA supports North American Electric Reliability Council (NERC) board governance and committee membership that balances the interests of all electric market participants and affected parties and cannot endorse NERC policies established under governing structures dominated by transmission owners. (1997)
58. Urges the Administration and Congress to endorse the following principles:

- a. There should be no private use restrictions on existing transmission facilities.
 - b. Tax-exempt financing for all units of state and local government should remain available for transmission and distribution facilities. (1998)
59. Public power supports open access and the concept of reciprocity in the provision of transmission services. Any new requirements for transmission facilities of public systems should preserve local government decision-making and avoid imposing unnecessary burdens on public systems that operate under public processes and provide open access. Any new requirements should preserve public systems' right to establish transmission rates consistent with the comparability requirements embodied in Order No. 888. (1998)
60. APPA opposes the creation of IOU transcos, whether established as affiliates or subsidiaries of the parent corporation, or tied to the parent through contractual arrangements or interlocking boards of directors, because they would not and could not be truly independent of their corporate parent, would perpetuate--not eliminate--the ability of these IOUs to manipulate their transmission assets to favor their own corporate goals of higher profits at the expense of consumers, would not be of sufficient size to capture the benefits of a broad geographic market, would not lend themselves to light handed regulation, could be used as a vehicle to increase the total cost of transmission would not have an open governance structure, and would not and could not incorporate the facilities of consumer-owned electric utilities. (1999)
61. Strongly urges the FERC to reject proposals advanced by IOUs to create transcos that are affiliated with the parent company or otherwise controlled by it as the solution to current problems regarding open, fair and nondiscriminatory transmission access that will promote competition in the bulk power market for the benefit of all electric consumers. (1999)
62. Based on over a century of low-cost, highly efficient operations by the nation's publicly owned utility systems, the APPA categorically rejects the proposition that publicly owned, not-for-profit transmission institutions controlling or owning regional transmission grids would not or could not manage the grid effectively and efficiently, including taking steps to eliminate transmission constraints in the most cost-effective manner to protect both the public interest and the interests of electric consumers. (1999)
63. APPA supports the approach applied by FERC in Order 888 that determination of whether a particular facility qualifies as transmission or distribution be based upon its function. (2000)
64. FERC gives due consideration to previous state commission decisions. Most importantly, when exercising its authority in reviewing these decisions FERC should reject proposals that allow the inappropriate classification of critical interstate facilities as distributions. (2000)
65. APPA urges Congress to support FERC's effort to achieve the proper classification of facilities. Congress should provide guidance to FERC in legislation that the proper functioning of the interstate grid and wholesale competition is in the national interest. (2000)

66. American Public Power Association continues to support the creation of independent, properly structured RTOs in accordance with the terms of this resolution, believes the Federal Power Act grants FERC the authority to create such RTOs, or maintain an alternative transmission operation method specifically in the West where an RTO may not provide substantial net consumer benefits, supports the Congressional affirmation of this authority if necessary to avoid litigation, and opposes proposals such as those contained in H.R. 3406 that restrict this authority or fail to accommodate public power's specific and unique characteristics.

In determining whether to approve or reject a proposed RTO, APPA urges FERC to ensure that each RTO submitted for approval:

- permits the fair and effective participation of publicly owned utilities (including those that have retained a vertically integrated structure in order to meet the obligation to serve their customers), accommodates their special circumstances including tax law and other legal requirements under which they operate and provides comparable cost recovery for their transmission assets;
- is structured to yield substantial benefits in excess of costs for each region's end-use customers, and will result in lower costs within a reasonable time period while increasing reliability and efficiency within the region;
- provides greater transmission system access, reliability and consumer protection;
- has the necessary independence to provide non-discriminatory rates and service to all participants;
- has a comprehensive market monitoring program and market mitigation authority and measures in place that are clearly sufficient to prevent the exercise of market power in power and energy markets within its region, including ancillary services markets;
- ensures that the public interest functions of the RTO, such as security coordination, congestion management, market monitoring and mitigation, and regional transmission planning, will be performed or managed by an entity whose purpose is protecting and promoting the public interest;
- provides for transparent markets and minimizes seams across regions while permitting sufficient flexibility on such issues as pricing and congestion management in order to accommodate the unique characteristics and needs of each region;
- ensures the rules and structure of the RTO allow federal entities to participate without adversely affecting their statutory, financial and contractual obligations;
- allows regional negotiations regarding RTO governance, structure and operation to proceed within a reasonable timeframe;
- ensures that sufficient transmission infrastructure will be built in a timely manner to relieve significant constraints, support robust competitive wholesale markets and provide highly reliable service to all customers;
- provides that all load-serving entities that have built generation, or made contractual commitments for power, to serve customers whom they have a legal obligation to serve (retail and wholesale native load), and that have built transmission or reserved firm transmission service for such resources,

continue to have a right to their existing highly reliable firm transmission service for resources dedicated to meet that legal obligation;

- is the product of an open, collaborative development process; and
- establishes mechanisms, including but not limited to an advisory committee, for market participants and consumers to communicate with the RTO and to enable the RTO to be responsive to market needs and consumer interests.

(2002)

67. That APPA opposes the concept of mandatory “participant funded transmission” and will work to defeat any attempts to include a participant funded transmission provision in any legislation considered by Congress. (2002)
68. That APPA opposes the imposition of a standard market design on all wholesale power markets in all regions on a uniform schedule, and instead recommends a more gradual, tailored approach in which the current proposal, as modified through the comment process, is put to the test in regions where it is appropriate, supported by stakeholders, and there is a high likelihood of providing substantial net benefits to consumers and that APPA urges FERC to recognize that the different characteristics and starting points of each of the various wholesale markets means that in some regions SMD may not yield substantial net benefits to consumers and may be unworkable, and that FERC work with stakeholders in such regions to develop alternative models to deal with problems of discriminatory transmission access while also assuring that just and reasonable rates are maintained. (2003)
69. That APPA strongly urges FERC to proceed carefully in regions where SMD will be implemented and to take the time necessary to ensure that the transition to SMD is made smoothly and without significant disruption or harm to load-serving entities. Additionally, a uniform implementation schedule shall not be imposed; and that in those regions where SMD is to be implemented, protections must be in place, and conditions met, that will ensure that rates will be, and remain, just and reasonable within the meaning of the Federal Power Act, and load serving entities can continue to meet their obligations to customers reliably and economically. These protections include, but are not limited to, the following:
- A robust transmission structure is essential to support competitive wholesale markets. Congestion invites manipulation. SMD must be modified to prohibit implementation of locational marginal pricing, and any other form of market-based rates, in any sub-region where the transmission system is not adequate to protect consumers with reasonable access to the regional market and where congestion is likely to be significant;
 - Comprehensive, independent market monitoring and mitigation procedures must exist and be fully operational to prevent potential harm from manipulation and the exercise of market power before implementation of SMD;
 - SMD is clarified to unambiguously require that the existing transmission rights of load-serving entities (LSEs) that own or have contractual rights to transmission will not be diminished in any way and the ability of LSEs to obtain new transmission rights at reasonable cost through an allocation process consistent with the planning of the transmission system for new resources dedicated to serve load will be preserved;
 - The particular circumstances of publicly owned utilities will be recognized and

protected from any direct or indirect consequence of SMD, including the protection of existing and future tax-exempt debt and the unique legal obligations publicly owned utilities have to their communities;

□□□ Preservation of local control of publicly owned utilities;

and that APPA urges Congress to monitor FERC's implementation of this proposal to ensure consistency with these principles. (2003)

70. That APPA supports language to require FERC to protect consumers by ensuring that APPA members that hold firm transmission rights, as a result of ownership of transmission, "grandfathered" contracts, or service agreements under the Commission's open access tariffs, are able to use those rights to deliver energy from their power supply resources to meet their obligation to serve wholesale or retail load; and that any legislation addressing service obligation should also include language to facilitate the planning and expansion of the transmission grid to meet the reasonable needs of load serving entities. (2003)
71. That APPA continues to support the FERC-lite concept so long as the language is clearly limited to review and approval of transmission service tariffs for consistency with the concept of comparability. (2003)
72. That APPA supports appropriate legislative language confirming that transmission owners and other load-serving entities (including public power transmission dependent utilities) that are eligible for service obligation protection under Section 1236 of the Energy Policy Act of 2003 have the unequivocal right to elect to use their physical transmission rights to meet their service obligations or, if they wish, to use tradable or financial transmission rights. (2004)
73. That the American Public Power Association opposes Federal legislation that creates Wilderness Areas that are in the vicinity of electrical transmission lines and appurtenant facilities, unless such legislation contains provisions protecting the ability of the utility owner or operator to continue the use of aircraft over, and in the vicinity of Wilderness Areas. (2004)
74. That the American Public Power Association (APPA) take all action necessary and appropriate before the Federal Energy Regulatory Commission (FERC), Congress and the courts to ensure that existing firm transmission rights, arising out of ownership of transmission, existing contracts (including "grandfathered" contracts), or service agreements under the Commission's open access tariffs, are preserved in any wholesale market design approved by FERC, and that the holders of such rights be granted the right to elect to continue to use their physical transmission rights to meet their service obligations at the prices specified in those contracts or agreements, or if they wish, to convert to equivalent tradable or financial transmission rights that will hold them harmless in any new wholesale market design. (2004)
75. That the American Public Power Association urges the Federal Energy Regulatory Commission to embrace the following general policies:
 - Foster adequate investment in transmission and generation infrastructure;
 - Recognize and respect regional industry differences and preferences;
 - Encourage cost-effective and not overly complex regional solutions;

- Support rational long-term generation resource arrangements that are in turn supported by dependable, long-term transmission service provided at just and reasonable rates;
- Foster well-functioning wholesale electric markets; and
- Ensure that FERC jurisdictional sellers of power charge “just and reasonable” rates; and

That APPA calls upon FERC to reform policies regarding existing FERC jurisdictional RTOs to protect consumers. Specifically FERC should ensure that:

- Load-serving utilities have the right to retain existing transmission rights arising out of ownership, existing contracts or service agreements under whatever market design is approved by FERC, and the ability in the future to obtain new, long-term transmission rights at a known and reasonable cost in order to achieve reasonable delivered cost certainty;
- Meaningful mechanisms are provided to get adequate transmission infrastructure built in a timely fashion, including mechanisms that encourage joint participation in development of new transmission facilities by all load serving entities within the region, instead of relying on incentive rates of return and accelerated depreciation and the presumed price signals of Locational Marginal Pricing and Financial Transmission Rights;
- A pricing methodology for transmission that produces reasonably certain and stable prices over the long term in order to support new generation construction and long-term power supply contracts;
- RTOs are fully accountable to stakeholders and the public for their costs and decisions;
- RTO governance is accountable to electric consumers’ interests;
- The region encompassed within the RTO footprint makes sense from a commercial and reliability perspective; and
- Through their operations and policies, that RTOs bring real, identifiable net cost savings to electric consumers; and

That FERC respect the considerable regional diversity that exists throughout the country and that it embrace regional alternatives developed within regions that do not have and do not wish to have RTOs by:

- Encouraging practices and institutions that meet the needs of specific regions;
- Enabling open regional transmission planning through means other than RTOs;
- Encouraging joint ownership of transmission and generation that supports long-term power supply planning while also helping to limit market power;
- Addressing remaining residual undue discrimination in transmission access by focusing on clarifying and enforcing open access rules;
- Addressing concerns of network service customers by vigorously enforcing the joint planning and transmission construction obligations of FERC jurisdictional transmission owners under their existing Open Access Transmission Tariffs; and

That FERC should address generation market power through a market-based rate policy that includes the imposition of cost-based rates in the appropriate market and conditions circumscribing the conduct of individual market participants if such conditions are necessary to ensure that wholesale rates are just, reasonable

and not unduly discriminatory or preferential. (2005)

76. That American Public Power Association supports appropriate legislative language confirming that transmission owners and other load-serving entities (including public power transmission dependent utilities) are eligible for service obligation protection under any comprehensive energy legislation to be passed, and should have the unequivocal right to elect to use their physical transmission rights to meet their service obligation, and only on a voluntary basis exchange these physical rights for tradable or financial transmission rights. (2005)
77. That the American Public Power Association supports appropriate legislative language that requires any federal agency with jurisdiction over property on which electric transmission facilities are located, to work cooperatively with the owners and operators of the facilities to implement vegetation management procedures and standards for maintaining the reliability and security of the facilities.

That the American Public Power Association supports legislative language requiring that if any federal agency with land management responsibility over property on which an electrical transmission facility is located fails in a timely manner [or within a set time period] to maintain minimum vegetation clearances as established by the owner or operator of the facility, the transmission owner or operator shall be permitted access to the property to implement such vegetation management procedures as may be necessary to meet such clearances. (2005)

78. The American Public Power Association (APPA) urges the Federal Energy Regulatory Commission (FERC) to encourage and promote the joint ownership of transmission systems in RTO and non-RTO regions, through application of FERC's authority to: (i) approve reasonable rate incentives for jurisdictional transmission services; (ii) impose conditions on public utility mergers; (iii) ensure that all sellers authorized to charge market-based rates have mitigated their generation and transmission market power; (iv) enforce the joint planning and credits for customer-owned transmission requirements in the FERC pro forma open-access transmission tariff; and (v) other authorities granted to the Commission under the Energy Policy Act of 2005, including, but not limited to, the designation and ownership of facilities within "national interest electric transmission corridors and initiatives to ensure that load-serving entities are fully able to meet their native load service obligations; and

APPA urges Congress and other interested federal agencies, like the Department of Energy, to consider joint ownership of transmission as a possibility when allocating federal resources to help enhance the bulk transmission system or to rebuild or upgrade transmission lines. (2006)

79. That APPA appreciates FERC's understanding of the needs of transmission dependent LSEs demonstrated in Order No. 890; and

That APPA urges FERC to rigorously enforce Order No. 890 and the revised OATT to (1) realize the meaningful coordinated transmission planning and construction of needed transmission infrastructure that takes into account the needs of all LSEs served by the transmission system, and gives such LSEs appropriate ownership opportunities for a load-

ratio share in that system; (2) ensure genuine consistency and transparency in ATC calculations, specifically, and OATT administration, generally; and (3) produce timely adherence to the OATT's procedures, including for responses to transmission requests; and

That APPA urges FERC to enforce the obligation of a transmission provider to plan and construct its system to accommodate the needs of network transmission customers on a par with the needs of its retail native load customers. (2007)

80. That APPA urges Congress to eliminate an unjust windfall for shareholders of independent transmission companies by not extending the capital gains tax deferral provision for Transcos included in EAct05.(2007)

81. That APPA believes that legislation that would mandate the building of transmission lines primarily for renewable energy projects is not sound federal policy; and

That APPA instead encourages Congress to conduct oversight hearings and work with the appropriate federal agencies involved to understand the situation, ensure electric reliability and highlight the problems with siting, permitting, financing and using transmission for renewable energy. (2008)

82. That the American Public Power Association (APPA) continues to support the language included in EAct05 that requires any federal agency with jurisdiction over property on which electric transmission facilities are located, to work cooperatively with the owners and operators of the facilities to implement vegetation management procedures and standards for maintaining the reliability of the facilities and urges Congress to ensure that that language is being implemented appropriately.

That APPA supports legislative language requiring that if any federal agency with land management responsibility over property on which an electrical transmission facility is located fails in a timely manner [or within a set time period] to maintain minimum vegetation clearances as established by the owner or operator of the facility, the transmission owner or operator shall be permitted access to the property to implement such vegetation management procedures as may be necessary to meet such clearances.

That APPA supports a federal policy (whether through legislation or rulemaking) that allows utilities to immediately remove vegetation from nearby federal land to protect the electrical infrastructure from impending damage and/or destruction in an emergency situation. (2008)

83. That the American Public Power Association (APPA) urges Congress and the Administration to ensure that the pursuit of our nation's energy, transmission and environmental policy goals are considered together holistically rather than as separate and potentially conflicting policy approaches, and, thereby, support public power's mission to provide low-cost, reliable electricity and responsible environmental stewardship for our customers and communities. (2009)

84. That APPA believes that, while Congress directed the Commission to develop

appropriate rules for transmission rate incentives, the granting of such incentives under the Commission's current Order No. 679 policies has transferred hundreds of millions of dollars from consumers to transmission investors, without any clear showing of need or benefit; and

That APPA urges the Commission to act, either by rulemaking in the NOI docket it has initiated or by adjudication in specific cases in which transmission rate incentives are sought, to modify its current policies regarding the granting of transmission rate incentives to balance appropriately the need to incent the construction of particular transmission projects against the imposition of unnecessary costs on electric consumers; and

85. That APPA urges Congress to revisit the granting of such incentives in any legislation addressing transmission policy. (2012)
86. That APPA encourages FERC to host a series of technical conferences to address issues such as:
 - Operational and associated commercial procedures used by interstate pipelines and transmission/generation operators;
 - Current products and services offered by both pipeline/storage operators and generation/transmission operators;
 - Potential new transportation/storage/banking products and services that could be offered to accommodate electric generation purposes;
 - Financial requirements for the development of new pipeline and storage facilities;
 - Associated cost recovery, cost allocation, and rate design practices; and
 - The extent to which the current Standards of Conduct adversely impact communications between transportation/transmission and gas supply/power supply functions prior to and during emergencies.

That APPA suggests that FERC issue a formal Notice of Inquiry (NOI) that seeks comment from interested stakeholders on whether impediments exist that hinder better coordination among the industries and how the Commission can address them; and

That APPA strongly urges FERC to study the economic and electric reliability impacts that will result from the retiring of coal-fired generation; and

That APPA believes that FERC should view gas-electric coordination in regions with RTOs differently from regions with bilateral electricity markets; and

That APPA encourages FERC to facilitate discussions with state commissions and electricity and natural gas industry stakeholders to address potential reliability issues surrounding natural gas curtailment policies; and

That APPA urges the appropriate committees in Congress to examine these issues as well and to monitor FERC's activities in this area. (2012)

87. That the American Public Power Association (APPA) believes that transmission projects approved for regional cost allocation must be the result of a coordinated,

open, and transparent regional planning process, as required by Order No. 1000. Such processes shall identify: (a) the need for the proposed project; (b) the anticipated benefits of the proposed project; (c) the anticipated beneficiaries of the proposed project, and (d) the estimated cost of the project; and

That APPA believes that FERC policy should not lead to over building of new transmission. Rate incentives may over-compensate for financial risk and may lead to the construction of surplus transmission at excessive cost. FERC should adopt policies that will not lead to significant over building of transmission and burdening of transmission rates with surplus costs; and

APPA believes that cost allocation should not exclude from the beneficiaries to be allocated a share of the costs of new transmission to generators that trigger the need for a proposed transmission expansion project. Load is not the only possible beneficiary that should be considered in allocating costs in accordance with the Federal Power Act. The benefits obtained by generators that will be interconnecting with or transmitting power or energy into the transmission system are appropriate to consider in allocating costs of a transmission project roughly commensurate with its benefits; and

That APPA believes an articulable and plausible reason should exist to believe that the benefits received will be roughly commensurate with the costs to be assigned; and

That APPA believes that in allocating costs in accordance with Federal Power Act requirements, FERC should be sensitive to differences in state policies. If a project is being promoted to meet a public policy objective, the specific objective and its source (e.g., state statute or regulatory requirement) must be specifically identified. Such identification, as well as differences among state policies, is appropriate to consider in determining whether an allocation of costs is roughly commensurate with the benefits received. (2013)

88. That the American Public Power Association (APPA) supports an efficient and streamlined process for upgrading or expanding existing Federal Energy Regulatory (FERC)-licensed projects, consistent with environmental protection requirements of federal and state law; and

That APPA supports modernizing the hydropower licensing process to ensure licensees are credited for taking beneficial actions in advance of license renewal by having FERC recognize these “early actions” when setting the next license term; and

That APPA supports reducing the 10-year hydropower licensing process by requiring FERC to lead a consultation with agencies and tribes to set forth a schedule in each licensing proceeding for submission of all permits and authorizations required under federal law; and

That APPA supports improvements to the licensing study process, including a collection of existing studies and data to reduce duplication of existing information; and

That APPA supports the availability of trial-type hearings and alternatives whenever an agency exercises mandatory conditioning authority during a license term, and a hearing process that is fair for all parties, that requires each party to bear the burden of proof for conditions it seeks, and that is presided over by FERC's expert administrative law judges; and

That APPA supports clarifying agencies' statutory requirement to document how they have equally considered other public purposes of a project when setting conditions;

That APPA supports the establishment of expedited license amendment procedures that are commensurate with the scope of a proposed amendment. (2016)

89. That the American Public Power Association urges the Federal Energy Regulatory Commission (FERC) to enforce the transmission planning process requirements of orders 890 and 1000 in a manner consistent with the purposes and goals of those orders; and

That, while APPA recognizes the recent efforts by FERC, including its February 2018 order in Docket No. EL16-71, and its March 2018 order in Docket No. ER18-370, APPA urges FERC to address the ongoing concerns raised by public power utilities and other stakeholders to ensure all transmission investments in the PJM and CAISO regions are needed, cost effective, and in compliance with the Commission's order 890 planning processes; and

That APPA supports efforts to maintain and refurbish the electric transmission grid with timely and meaningful stakeholder participation and effective oversight and review. (2018)

90. That the American Public Power Association (APPA) urges the Federal Energy Regulatory Commission (FERC), in the face of rising transmission costs, to implement and enforce transmission planning, cost recovery, and incentive policies that ensure customers do not pay excessive transmission rates; and

That APPA reiterates that FERC should enforce the transmission planning process requirements of FERC Order Nos. 890 and 1000 in a manner consistent with the purposes and goals of those orders; and

That APPA urges FERC to adhere to recognized requirements for transmission incentives to ensure just and reasonable rates, including: (i) a demonstrated connection between the incentive and the conduct the incentive is supposed to encourage; (ii) a showing that project specific incentives are justified by project risks and challenges; (iii) demonstrated efforts to minimize project risks, including appropriate consideration of joint ownership arrangements; (iv) incentive returns should not be applied to cost overruns; and (v) incentives should not be granted to motivate past conduct or actions that public utilities are otherwise legally compelled to undertake; and

That APPA recommends that FERC renew its efforts to evaluate the status of competitive transmission development under Order No. 1000, including an assessment of the potential for increased transmission competition to moderate transmission cost increases in some or all planning regions. (2019)

TVA

1. Urges the Congress to appropriate necessary funds for the rural electrification, the TVA, The Bureau of Reclamation, The Bonneville Power Administration, the Southwestern Power Administration and other public power projects as they may appear economically justified. (1947)
2. Urges that the Senate of the United States include in such legislation regarding the Tennessee Valley Authority a provision for the installation of much needed additional generating facilities. (1953)
3. Urges the U.S. Senate to approve legislation providing self-financing by bonds for TVA revenue bond financing at the earliest possible moment in order that the TVA may proceed in an orderly fashion to further develop its power system and thus carry out responsibilities and obligations given to it by the Congress. (1955, 1956, 1957, 1959)
4. Decries, deplores and opposes this fantastic proposal to abolish TVA, and urges that the Congress dismiss it as incompatible with the public interest and unworthy of even the remotest consideration. (1958)
5. Supports amendments to the Tennessee Valley Authority Act to place on a permanent basis TVA's authority to finance power facilities through the issuance, without specific limit, of revenue bonds and notes, as needed; authorize TVA to enter into power exchange arrangements with any other power generating organization, private, local, public, cooperative or federal; and authorizes the sale of TVA power to any preference customer authorized to and desiring to purchase power at wholesale from TVA. (1965)
6. Urges enactment of legislation to increase the ceiling on TVA's revenue bonds authority to at least \$5 billion, from its present level of \$1.75 billion, to enable the authority to make long-range plans for power supply in the valley, including wholesale power service to 108 municipal electric systems and 50 rural electric cooperatives. (1970)
7. Supports bills that authorize TVA to credit its certified environmental control expenditures against its required payments to the U.S. Treasury. (1974)
8. Encourages the concept of ownership of energy sources by consumer-owned electric utilities and by the Tennessee Valley Authority in order to help ensure an adequate supply of fuel at reasonable cost for the benefit of the customer served by local public power systems. (1975)
9. Supports removal of the ceiling on TVA's borrowing authority, to enable this federal agency to continue to meet the power needs of the Tennessee Valley, including the 110 municipal power systems and 50 rural electric cooperatives that provide electricity at retail to more than six million people, as well as the federal agencies and industrial customers of TVA; and fully support the proposed \$15 billion increase in 1979 in TVA's borrowing authority, if the Congress chooses not to remove the ceiling on TVA's borrowing authority. (1975, 1979)

10. Strongly opposes the administration's plan to prohibit TVA and REA access to the federal financing bank (FFB) and urges Congress, if necessary, to specifically provide these federal agencies with access to the FFB. (1981)
11. Urges the Congress to eliminate this artificial restriction on sales of surplus TVA energy and capacity to permit TVA to offer surplus energy and capacity to interested purchasers, subject to the preference clause. (1982)
12. Supports TVA'S economic, agricultural and environmental development programs and urges the Congress to reject the Administration's proposed budget for these programs and instead provide sufficient funds to enable TVA to continue to fulfill its legislative mandate in non-power related areas. (1985)
13. Opposed to all proposals to transfer TVA from federal ownership. (1987)
14. Calls upon Governor Baliles to provide TVA distributors with greater representation on the advisory committee. (1987)
15. Is opposed to any changes in TVA's operating policy for its dams and reservoirs to the extent that such changes result in the subsidization by power customers of the use of waterpower resources for nonpower purposes. (1990)
16. APPA commends TVPPA's proactive development of a TVA title and supports the consensus document developed by TVPPA for inclusion in comprehensive electricity restructuring legislation. (2000)
17. That APPA supports TVA and its continued delivery of electricity in the states of Tennessee, Alabama, North Carolina, Kentucky, Virginia, Mississippi and Georgia; and

That APPA opposes the divestiture of TVA, and urges the Administration to reevaluate the impact such a move would have on TVA customers and on the federal deficit. (2013)