

**AMERICAN PUBLIC POWER ASSOCIATION**  
**NEW CODIFICATION OF RESOLUTIONS**

(Policy Resolutions Adopted by the APPA Membership Beginning in 2021 and Thereafter)

**TABLE OF CONTENTS**

Preface.....	2
Tax and Finance.....	3
Wholesale Markets.....	4
Transmission and Siting.....	5
Public Utility Regulatory Policies Act.....	6
Distributed Energy Resources and Energy Storage.....	7
Reliability.....	8
Cybersecurity and Physical Preparedness.....	9
Environment.....	10
Energy Conservation.....	11
Nuclear Power.....	12
Hydropower.....	13
Federal Power Program.....	14
Communications.....	15
Transportation.....	16
Natural Gas.....	17
Disaster Relief and Hazard Mitigation.....	18
Customer Issues.....	19
Public Power Business Model and Service Territory.....	20
Workforce Issues.....	21

## **PREFACE**

Each year, members of the American Public Power Association (APPA) meet to offer and consider policy resolutions on a host of federal issues impacting public power utilities. Once adopted, these policy resolutions guide APPA staff in their advocacy efforts before Congress and the federal government. In 2019, the APPA Board of Directors retired the association's Codification of Resolutions (now referred to as the Old Codification of Resolutions) and approved the APPA staff to create a new one that includes policy positions adopted in 2021 and thereafter. Resolutions adopted by the membership remain in effect for eight years after their adoption. If updated in that eight-year window, that policy remains in effect. If not updated or extended by their sunset year, the policy positions are no longer in effect.

Resolutions adopted between 2000 and 2020 and included in the Old Codification of Resolutions will remain in effect until 2026 unless replaced by new resolutions in 2021-2026.

## **TAX AND FINANCE**

**(Includes Municipal Bonds, Comparable Incentives, and the Small-Issuer Exception)**

1. **Resolution 21-05 – In Opposition to the Sequestration of Direct Payment Bonds** (adopted March 2, 2021)
  - a. That the American Public Power Association (APPA) opposes federal sequestration of refundable tax credit payments to Build American Bond (BAB) and New Clean Renewable Energy Bond (New CREB) issuers; and
  - b. That APPA urges the Biden Administration and Congress to take such steps as are necessary to prevent sequestration of BAB and New CREB refundable tax credit payments to issuers.

## **WHOLESALE MARKETS**

**(Includes regional transmission organizations and independent system operators)**

## **TRANSMISSION AND SITING**

## **PUBLIC UTILITY REGULATORY POLICIES ACT**

## **DISTRIBUTED ENERGY RESOURCES AND ENERGY STORAGE**

**(Includes Hydrogen)**

1. **Resolution 21-01 – In Support of Energy Storage** (adopted March 2, 2021)
  - a. That the American Public Power Association (APPA) supports policies that bolster research and development of energy storage technology, including by reducing costs and increasing storage duration, and policies that incent the deployment of beneficial energy storage technology; and
  - b. That APPA urges Congress and federal agencies to support the development and deployment of energy storage technology in a manner that recognizes state and local authority, increases reliability, and keeps costs affordable for consumers.
2. **Resolution 21-06 – In Support of Federal Incentives for Utility-Scale Hydrogen Energy Storage Projects** (adopted March 2, 2021)
  - a. That the American Public Power Association (APPA) urges federal policies to increase the research, development, and deployment of hydrogen technology for the electric utility sector, in addition to transportation and industrial uses; and
  - b. That APPA believes that the hybrid use of renewable hydrogen and natural gas would help reduce greenhouse gas emissions and allow for the widespread adoption of and assessment of hydrogen use in electric generation; and
  - c. That APPA urges Congress to provide equal incentives to all segments of the utility industry, including public power, in any programs to advance hydrogen deployment.

## **RELIABILITY**

**(Includes vegetation management and wildfires)**



## **CYBERSECURITY AND PHYSICAL PREPAREDNESS**

## **ENVIRONMENT**

**(Includes climate, Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, Endangered Species Act, and National Environmental Policy Act)**

## **ENERGY CONSERVATION**

**(This includes all federal energy efficiency statutes)**

## **NUCLEAR POWER**

## **HYDROPOWER**

1. **Resolution 21-07 – In Support of Facilitating the Removal and Relocation of Sediment from Hydropower Reservoirs Impacted by the Effects of Climate Change** (adopted March 2, 2021)
  - a. That the American Public Power Association (APPA) supports federal policies to expedite the voluntary removal and redeposit of debris and sediment runoff from hydropower reservoirs that results from more frequent and extreme weather events. Facilitating disposal of sediment for beneficial use on adjoining federal lands should be encouraged and streamlined to more effectively address the environmental, operational, and financial impacts of climate change.

**FEDERAL POWER PROGRAM**

**(Includes the Power Marketing Administrations, Tennessee Valley Authority, preference power,  
and federal power projects)**

## **COMMUNICATIONS**

**(Includes spectrum, pole attachments, broadband, and Telephone Consumer Protection Act)**

### **1. Resolution 21-03 – In Support of Broadband Deployment and Local Control of Pole**

**Attachments** (adopted March 2, 2021)

- a. That the American Public Power Association (APPA) strongly supports the goal of providing every American with access to affordable broadband services; and
- b. That APPA continues to oppose any actions by the Federal Communications Commission (FCC or Commission) that eliminate local control and system oversight over public power pole attachments in contradiction of the language in section 224 of the Communications Act precluding the Commission from doing so; and
- c. That APPA urges Congress to preserve long established federal law regarding public power utilities' local control and system oversight over pole attachments. Congress should not eliminate the municipal exemption in section 224 of the Communications Act.

**TRANSPORTATION**  
**(Includes electric vehicles, drones, and rail)**



## **NATURAL GAS**

## **DISASTER RELIEF AND HAZARD MITIGATION**

## **CUSTOMER ISSUES**

**(Includes the Low Income Home Heating Assistance Program and COVID-relief legislation)**

**1. Resolution 21-04 – The Need for a Strong Federal Response to the Economic Crisis Caused by the COVID-19 Crisis Pandemic** (adopted March 2, 2021)

- a. That the American Public Power Association (APPA) believes that Congress should immediately provide an emergency \$10 billion supplemental appropriations for the Low Income Home Energy Assistance Program increase income thresholds for eligible households, and increase the amount of funding that can be used for administrative expenses to ensure that these funds go to the households that need this critical relief; and
- b. That APPA believes that the Federal Emergency Management Administration should move swiftly to reimburse public power utilities for the costs of emergency protective measures in response to the COVID-19 pandemic, including by approving the costs for steps taken by public power utilities to ensure the life and safety of public power workers and customers; and
- c. That APPA believes that federal agencies, including the Departments of Treasury and Housing and Urban Development, should work to ensure that utility customer relief programs benefit all customers, including public power utility customers; and
- d. That APPA believes that Congress should treat public power utilities the same as other employers by granting them payroll tax credits to offset the cost of federally mandated emergency paid sick leave and emergency paid family leave; and
- e. That APPA believes that Congress should help state and local governments reduce the cost of existing debt by immediately reinstating the ability to issue tax-exempt advance refunding bonds.

## **PUBLIC POWER BUSINESS MODEL AND SERVICE TERRITORY**

1. **Resolution 21-02) – Regarding Federal Involvement in Service Territory Disputes** (adopted March 2, 2021)
  - a. That the American Public Power Association (APPA) strongly supports the rights of public power utilities to provide electric service within their corporate limits and adjacent urban growth areas.
  - b. That APPA strongly opposes any legislation that would do any of the following:
    - i. Preempt state annexation laws and home rule provisions as provided for by some state constitutions;
    - ii. Prohibit the condemnation of electric cooperative territory when that territory is annexed by a municipality;
    - iii. Mandate a level of compensation to the cooperative that would render the service territory acquisition uneconomic and discourage the city from exercising its right to serve annexed areas;
    - iv. Prevent a municipality from franchising an alternative supplier to compete with the electric cooperative, or prohibit the municipality from collecting a franchise fee from a cooperative as a condition to operate within the city limits;
    - v. Mandate a new review and/or approval process for territory disputes irrespective of existing state laws or constitutional provisions; and
    - vi. Override or restrict, in any way, any local or state rules, regulations, ordinance, constitutional provisions or laws that have been established by a public body as a matter of public interest that govern the ability of public power utilities to serve all customers in their corporate limits and adjacent urban growth areas.

## **WORKFORCE ISSUES**