

Photo from Los Angeles Department of Water and Power

📍 **Scattergood Generating Station** | Site of a 346 MW dual-fuel hydrogen and natural gas generation project | **Los Angeles Department of Water and Power**



LPPC PRIORITIES FOR PERMITTING REFORM

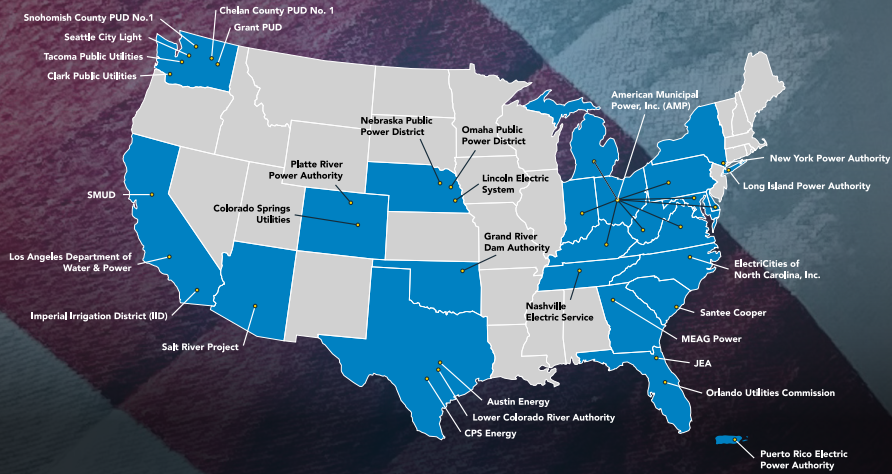
Supporting Electric Reliability, Affordability, and Growth

April 2026

Background on LPPC



LPPC represents 29 of the nation's largest public power utilities. LPPC members serve over 30 million customers with 80+ gigawatts of generation and 50,000+ miles of high-voltage transmission.



RELIABILITY

LPPC member utilities operate some of the most reliable systems in the U.S., with **one-third fewer service interruptions** than the national average.¹

AFFORDABILITY

LPPC members offer some of the most affordable residential rates in the U.S., with a combined average rate **~19% less than the national average**.¹

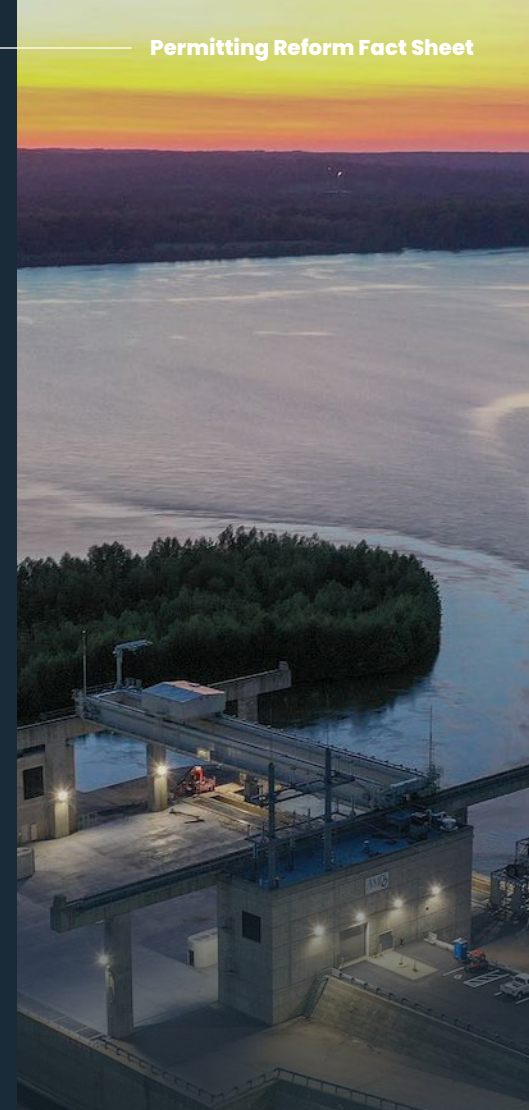
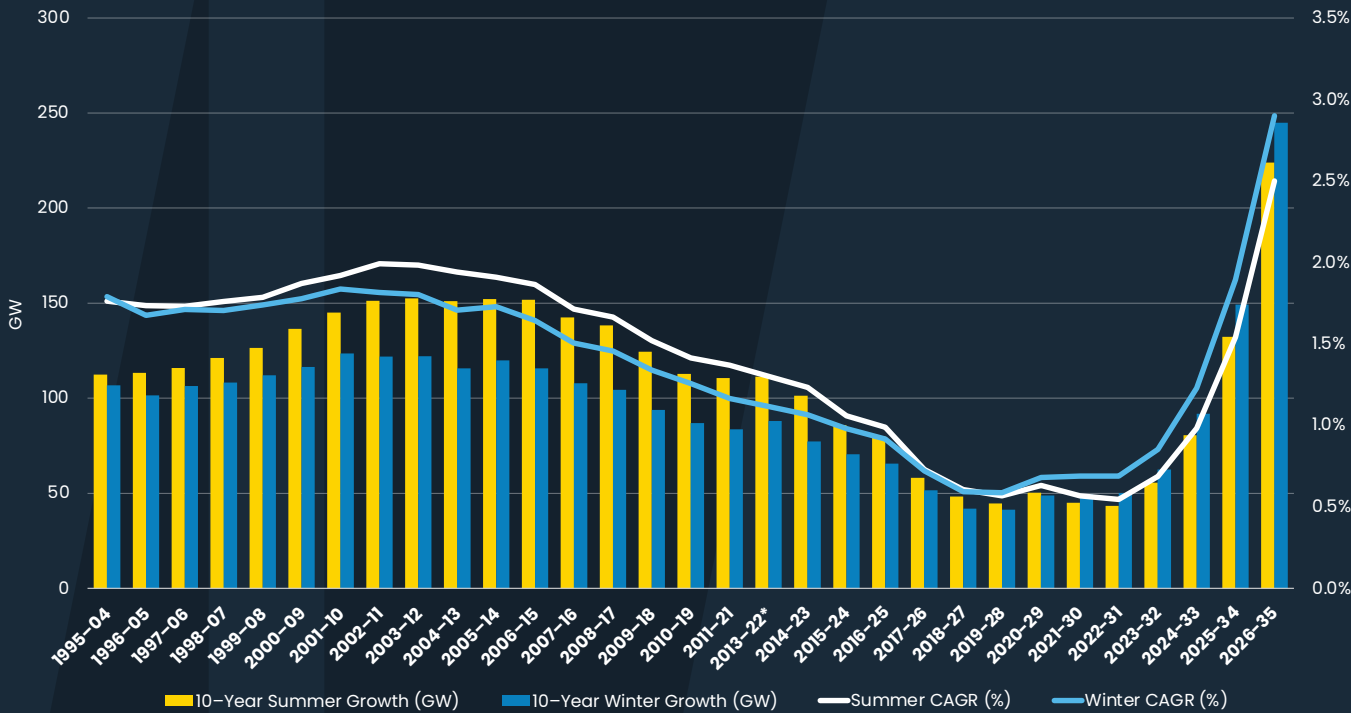
CUSTOMER SATISFACTION

According to J.D. Power's 2025 Electric Utility Customer Satisfaction Study, LPPC members on average scored **within the top 25% for customer satisfaction**, and several members received top honors in their respective segments.²

Electricity Demand Is Accelerating Nationwide

The North American Electric Reliability Corporation's (NERC) latest Long-Term Reliability Assessment projects the **fastest growth in peak demand since tracking began in 1995** (see Figure 1). That demand surge is increasing the urgency of building generation, transmission, and other critical infrastructure on time and on budget.

Figure 1: **Peak Demand Growth Since 1995**³



Livingston County, Kentucky

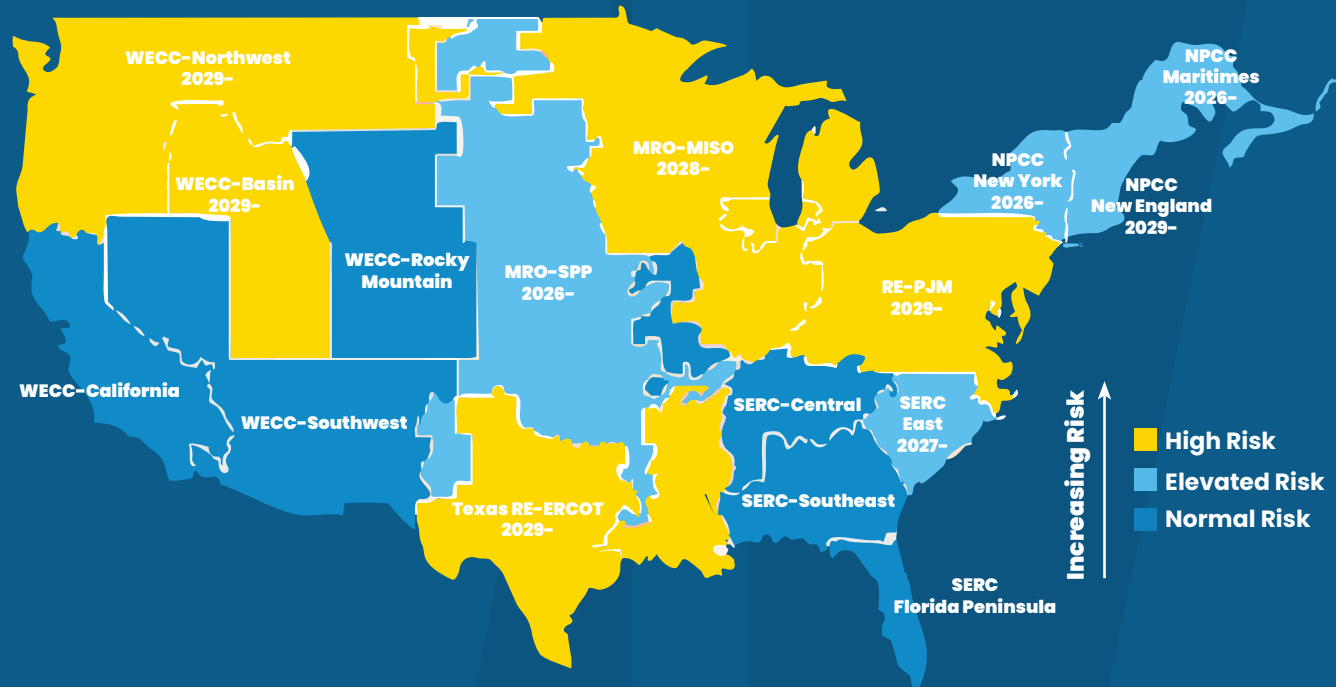
LPPC member **American Municipal Power's** 76 MW Smithland Hydroelectric Plant is a run-of-the-river project at the Smithland Locks and Dam on the Ohio River.

Photo from American Municipal Power

This is a National Reliability Challenge

NERC identifies elevated or high reliability risks across multiple regions over the next five years (see Figure 2). **Rising demand** and **delayed infrastructure** development are creating broad **reliability challenges** across the North American bulk power system.

Figure 2: **NERC Identifies Elevated or High Reliability Risks Over Next Five Years**³



High Risk: Planned resources are expected to fall short of reliability needs and could result in energy shortfalls beyond accepted resource adequacy thresholds.

Elevated Risk: Planned resources generally meet adequacy targets, but more extreme conditions could still lead to limited energy shortfalls or load loss.

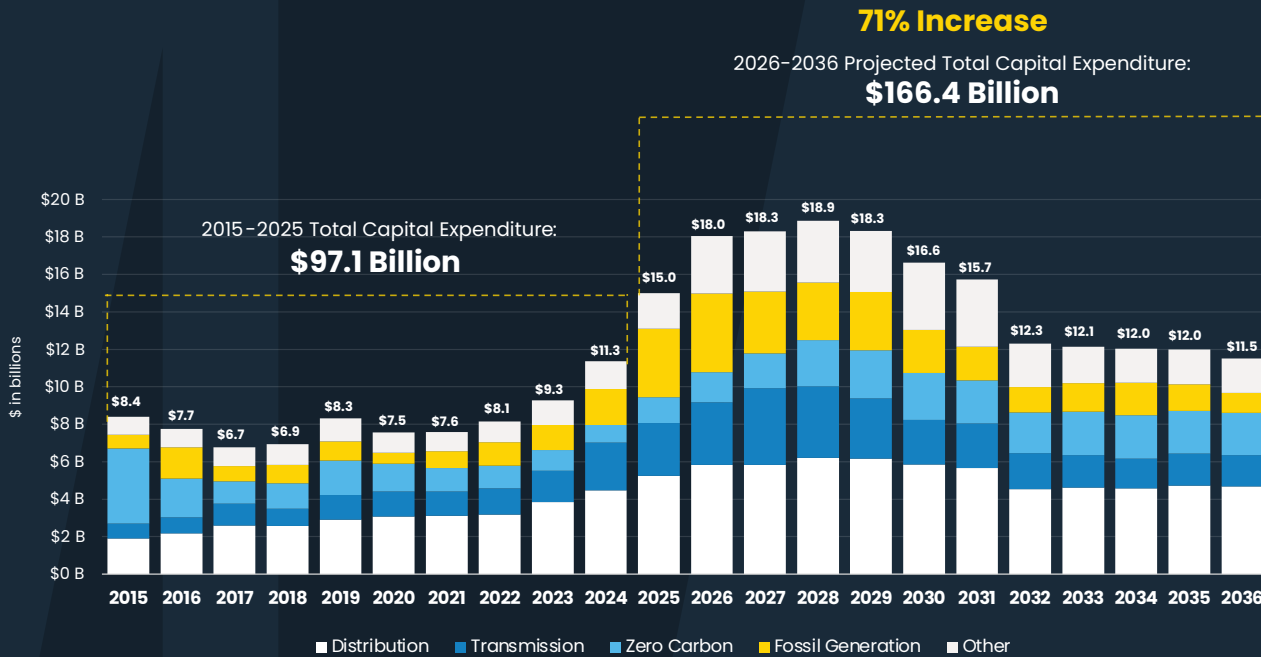
Normal Risk: Planned resources are expected to be sufficient across a broad range of conditions.

Permitting reform could speed generation, transmission, and other critical energy projects.

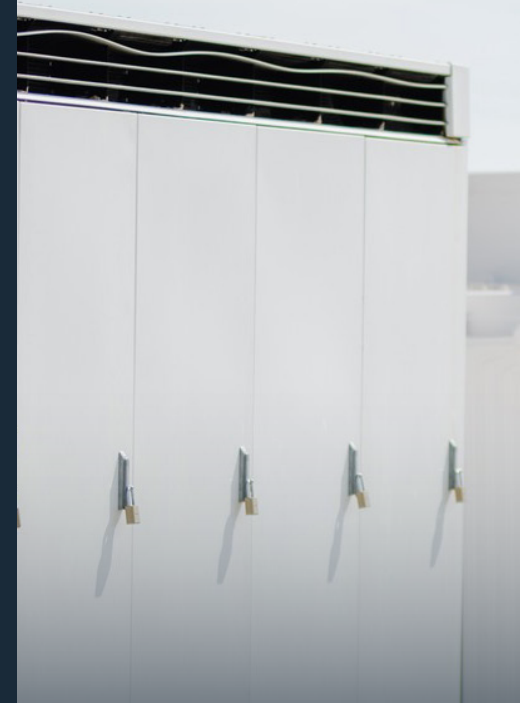
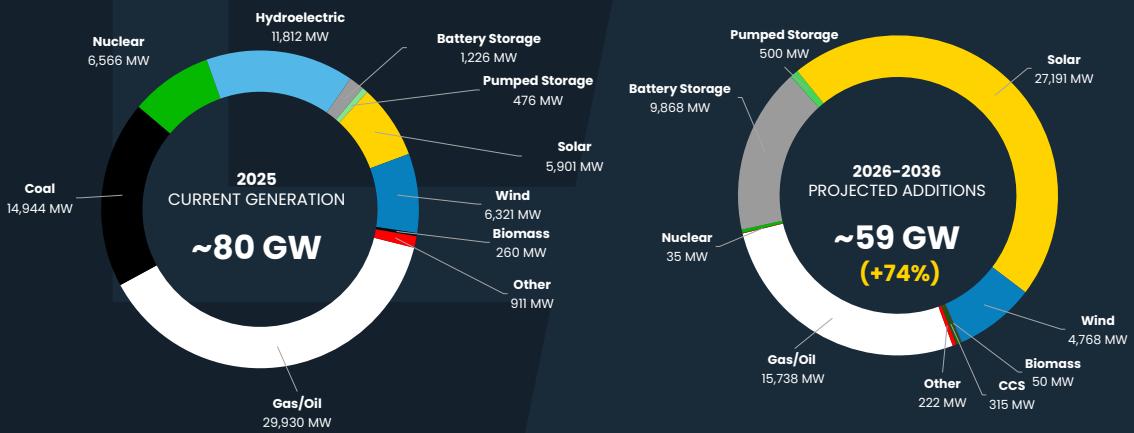
LPPC Members Are Investing in the Grid

Over the next decade, LPPC members expect to invest **\$166 billion in electric infrastructure** and build approximately **59 gigawatts of new generation** to meet unprecedented demand growth from data centers, advanced manufacturing, and electrification. That buildout spans natural gas, nuclear, pumped hydro, storage, wind, and solar. **Permitting reform is needed to keep these investments on schedule and at a reasonable cost.**

Figure 3: LPPC Member Capital Expenditures | Current vs. Projected⁴



GENERATION



Severance, Colorado

LPPC member **Platte River Power Authority** is partnering with Weld Energy to develop a 400 MW battery energy storage facility adjacent to its Black Hollow Sun solar complex. Initial construction is planned for late 2026.

Photo from Platte River Power Authority

PERMITTING REFORM

Why Federal Permitting Reform is Needed Now

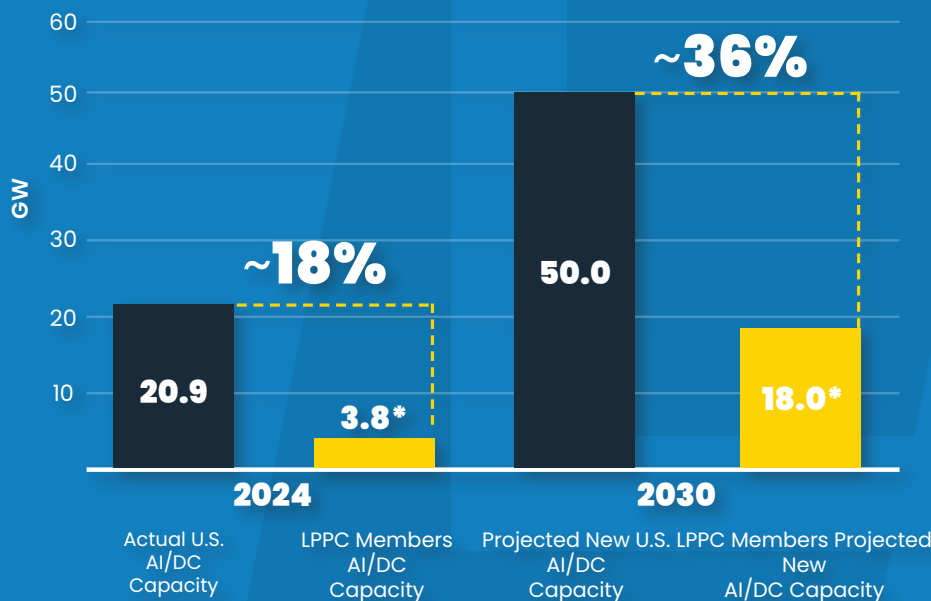
As shown in Figure 3, LPPC members project a **71% increase in capital expenditures** and a **74% increase in generation capacity** over the next decade to serve rising demand from data centers, advanced manufacturing, and electrification.

Public power utilities are **community-owned, locally governed, and not-for-profit**, with investment and operating decisions accountable to the customer-owners they serve. When permitting timelines are unreasonably extended or projects are tied up in protracted litigation, **customers pay the price** through higher costs, an inability to meet new electricity demand, and greater reliability risks.

AI Demand is Accelerating in LPPC Service Areas

LPPC members currently power over 18% of the nation’s AI and data center load and account for approximately **36% of expected new data center interconnections** over the next five years. Public power utilities are essential to supporting AI growth, advanced manufacturing, and American economic and military national security objectives.

Figure 4: **LPPC Member AI/Data Center Load*** | 2024 vs. 2030^{4,5,6}



* LPPC members also serve ~1.8 GW of advanced manufacturing and industrial large-load customers, which is projected to grow to ~4.2 GW by 2030.

Permitting Reforms to Get Projects Built

Congress should enact broad permitting reforms that reduce delay, improve certainty, and help build the generation, transmission, and maintain the hydropower infrastructure needed to serve rising demand.

National Environmental Policy Act (NEPA)

LPPC POSITION

Narrow reviews to relevant impacts, expand appropriate categorical exclusions, and reduce litigation-driven delays for critical energy infrastructure

SUPPORTING LEGISLATION

Speed Act (H.R. 4776)

Clean Water Act (CWA)

LPPC POSITION

Enforce the one-year deadline for Section 401 state water quality certifications, limit review to direct water-quality impacts, improve Section 404 dredge-and-fill permitting, and establish clear timelines for judicial review

SUPPORTING LEGISLATION

Permit Act (H.R. 3898)

Endangered Species Act

LPPC POSITION

Improve certainty for energy infrastructure projects while ensuring decisions remain grounded in objective, science-based standards

SUPPORTING LEGISLATION

Endangered Species Act Amendments of 2025 (H.R. 1897)

Permitting Certainty

LPPC POSITION

Establish faster, more transparent technology-neutral agency and judicial review timelines and protect fully permitted projects from revocation or delay

Hydro Licensing/Relicensing

LPPC POSITION

Clarify that routine maintenance and non-substantial alterations do not require license amendments. In addition, improve interagency coordination, reduce unnecessary relicensing burdens, and tie mandatory conditions under FPA sections 18 and 4(e) to project effects

SUPPORTING LEGISLATION

FLOWs Act S. 3518

Communities across America are counting on Congress to deliver a modernized, efficient, predictable, and transparent permitting process — one that provides the project certainty needed to secure investment today, unlock economic growth, and foster innovation that creates opportunity and a stronger future for families and neighborhoods.

– U.S. Chamber of Commerce letter to the U.S. Senate on behalf of 600 national, regional, and state organizations, February 2026

LPPC Principles for Transmission

LPPC supported Federal Energy Regulatory Commission (FERC) Order No. 1920 because it strengthened long-term **regional transmission planning** while **preserving longstanding Federal Power Act (FPA) protections** for non-jurisdictional public power. If Congress includes transmission provisions in permitting legislation — including FERC siting authority or changes to regional planning — **the bill should follow the same approach.**

Here are the guardrails that should govern transmission:

LPPC's permitting agenda has two parts: first, Congress should enact broad permitting reforms that reduce delay, improve certainty, and help build critical energy infrastructure; second, any transmission provisions should follow these six guardrails.

1

Net customer benefits should be the core test for project certification. All projects offer some benefit. Transmission projects should be certified only when they deliver tangible net benefits to the customers who will fund them, relative to reasonable alternatives such as generation, storage, demand-side resources, reconductoring, or grid-enhancing technologies. Costs should be assigned in accordance with cost causation and customers should not be involuntarily allocated project costs that exceed their benefits.

2

Project certification should be tied to a long-term regional planning process approved by FERC. Congress should build on existing planning frameworks, not create another overlapping process, and should ensure any certified project is anchored to an appropriate framework for cost allocation and cost recovery. Any federal transmission framework should require meaningful consultation with affected states, landowners, and the public. Interregional projects should only be selected with the approval of each participating region.

3

Project certification should be revisited before construction begins if material facts change. If project costs materially rise, projected customer benefits decline, load forecasts change, or other key assumptions shift after project selection, there should be an opportunity to reassess whether the project remains the right choice for customers.

4

Efforts to shorten interconnection timelines should be practical, flexible, and grounded in real-world system conditions. Automation software, advanced computing, and other process improvements can help accelerate generator interconnection. But Congress should not impose a hard deadline based on an assumption that those tools will work in every case, especially for complex projects where transmission providers determine that the tools are not cost-effective or that meeting the deadline would be infeasible or inconsistent with reliable system operations.

5

Any rate authority should be limited to the certified project. Any FERC rate or service authority for regional or interregional transmission projects involving FPA Section 201(f) entities should be limited to the certified project itself and should not expand broader Federal Power Act jurisdiction over non-jurisdictional public power.

6

FPA Section 201(f) utilities should retain opt-out protections. Section 201(f) utilities have a history of self-supply and should be able to opt out of a FERC-approved regional planning framework and its associated cost allocations, rather than be compelled to participate and then dispute whether their customers benefit.

LPPC CEOs on Permitting Reform

Delay



Nebraska Public Power District
Always there when you need us

The R Project is a 226 mile 345kV transmission line that runs in central Nebraska to improve the reliability of the system for NPPD and Nebraska. This project came out of an integrated transmission plan from the Southwest Power Pool in 2012. Because this project has taken 12 years (to permit)... we still have reliability issues that we've had to address with other methods to meet the demand of a local load pocket. And as the load continues to grow, that risk of reliability continues to increase.

We are going to follow the process, we are going to follow the rules, but let's do it in an expedited way that gets these necessary infrastructure projects done.

- Tom Kent, President & CEO
Nebraska Public Power District

Delay and Duplication



Our four run-of-the-river hydroelectric plants on the Ohio River were constructed at existing U.S. Army Corps of Engineer dams. This meant that in addition to going through the process of securing FERC licenses, we were required to obtain permits from the Corps of Engineers, which duplicated aspects of the FERC process.

Unfortunately, there was limited coordination between agencies, which resulted in significant delays to the projects and additional costs for our members and their customers.

- Jolene Thompson, President & CEO
American Municipal Power

Policy Stability



In a matter of 8 to 10 years, we will have to double the capacity of OPPD.

We are making 30, 40, 50 year investments in our assets, and it is impossible to make those investments assuming that regulations and policies will change every four years with changes in administration.

We have to have some stability. A national long-lasting policy for energy.

- Javier Fernandez, President & CEO,
Omaha Public Power District

Appeals and Timelines



Environmental Impact studies need to be done in a timely fashion and we need hard deadlines for that work to get done. We need to clarify the Clean Water Act. We need Congress to set expectations for the use of the CWA. We need to speed up the appeals process. We want everyone to have a fair say, but what slows down projects, makes them cost too much, and effectively kills them is the repeated appeals process. Throw it back, appeal it, throw it back, appeal again.

We did this in South Carolina, and we're already seeing the benefits of it. We'd love to see it done at the federal level.

- Jimmy Staton, President & CEO,
Santee Cooper

LPPC Member Utilities



CHELAN COUNTY
www.chelanpud.org



Sources:

¹ Annual Electric Power Industry Report (Form EIA-861) | U.S. Energy Information Administration, October 2025

² 2025 U.S. Electric Utility Residential Customer Satisfaction Study | J.D. Power, December 2025

³ 2026 Long Term Reliability Report | North American Electric Reliability Corporation, January 2026

⁴ LPPC Member Current & Projected Large-Load Capacity | Capital Investment and Large Load Growth Survey, November 2025

⁵ 2024 National AI/Data Center Capacity | Energy & AI, World Energy Outlook Special Report, International Energy Agency, April 2025

⁶ 2030 National Projected AI/Data Center Load Growth | Department of Energy Resource Adequacy Report, July 2025

LPPC Member Survey Participants:

American Municipal Power	Lower Colorado River Authority
Austin Energy	MEAG Power
Chelan County PUD No. 1	Nashville Electric Service
Clark Public Utilities	Nebraska Public Power District
Colorado Springs Utilities*	New York Power Authority
CPS Energy	Omaha Public Power District
ElectriCities of North Carolina, Inc.	Orlando Utilities Commission
Grand River Dam Authority	Platte River Power Authority
Grant Public Utility District	Salt River Project
Imperial Irrigation District*	Santee Cooper
Jacksonville Energy Authority	Seattle City Light
Lincoln Electric System	Sacramento Municipal Utility District
Long Island Power Authority*	Snohomish County PUD No. 1
Los Angeles Department of Water & Power*	Tacoma Public Utilities

* Members partially participating