

May 8, 2023

The Honorable Charles Schumer
Senate Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Senate Minority Leader
United States Senate
Washington, D.C. 20510

Dear Majority Leader Schumer and Minority Leader McConnell,

On behalf of America's Electric Cooperatives, thank you for your efforts to streamline the federal infrastructure permitting process. As we strive to meet our consumer-members' expectations in the coming years, while maintaining reliable and affordable electric service, electric cooperatives will need to build significant amounts of new electric transmission and generation capacity of all types.

Many of these projects electric co-ops will undertake will need to navigate federal, state, and local siting and permitting processes. For major generation and transmission projects, this will likely include a National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS). Unfortunately, as just one indicator of the headwinds we currently face, it takes an average of 4.5 years to complete an EIS and issue a permitting decision. One quarter of EISs take more than 6 years. Congress must modernize the federal infrastructure permitting process to allow us to address this challenge in a timely and cost-effective way.

As you conduct hearings and draft legislation to modernize the federal infrastructure permitting process, please consider these principles which will be essential to any effective solution:

- **Firm time limits for environmental reviews.** The NEPA permitting process takes too long. To maintain reliable and affordable energy and build the infrastructure we need for the future, the process must be efficient and predictably completed within two years. That should be enough time to conduct a rigorous review and while providing project certainty.
- **Greater applicant involvement in the process.** Electric co-ops are owned by the customers they serve. Co-ops know the specific details of their projects and the unique needs and challenges facing their communities. Greater involvement by those proposing the infrastructure projects can provide agencies with information they need to facilitate more efficient and effective reviews in a timely manner.
- **More efficient reviews for recurring small projects we already know have minimal environmental impacts.** For example, electric co-ops spend significant time managing the vegetation that grows around power lines to maintain reliability and prevent wildfires. Those vegetation management efforts take place every day across the country. Electric co-ops should not have to navigate a lengthy, bureaucratic process for actions where both co-ops and the agency already know the benefits are high and the impacts are low.

- **Limit lengthy, costly litigation that can delay projects indefinitely.** According to the U.S. Department of Justice, NEPA is one of the most frequently litigated environmental statutes. Litigation can result in excessive paperwork and unnecessary delays—holding up projects that communities badly need. Reforms should be made to limit unnecessary litigation.
- **Ensure transmission permitting and siting improvements reflect co-op and community needs.** The electric grid needs more electric grid transmission capacity to meet expected growth in the coming decades. But policies aimed at incentivizing additional transmission capacity need to adhere to three key principles. 1.) It must not expand Federal Energy Regulatory Commission (FERC) authority over electric cooperatives, 2.) It must allocate the costs of building new transmission or modifying existing facilities only to those who receive tangible and quantifiable benefits. 3.) It must ultimately serve the national interest of maintaining the reliability and affordability of the electric grid.

Electric cooperatives are committed to maintaining an affordable and reliable grid that meets our consumer-members' needs for the years to come. We are eager to work with you to improve the federal permitting process and solve these significant challenges.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Matheson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jim Matheson