

117TH CONGRESS
1ST SESSION

S. 704

To require the Secretary of Energy to establish a grant program to improve the resiliency of the power grid to natural disasters and reduce the risk of wildfires caused by power lines, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2021

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the Secretary of Energy to establish a grant program to improve the resiliency of the power grid to natural disasters and reduce the risk of wildfires caused by power lines, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disaster Safe Power
5 Grid Act of 2021”.

6 **SEC. 2. MATCHING GRANT PROGRAM.**

7 (a) DEFINITIONS.—In this section:

1 (1) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means an electric utility, including—

3 (A) a publicly owned electric utility;

4 (B) a municipal electric utility;

5 (C) a cooperatively owned electric utility;

6 (D) an investor-owned electric utility; and

7 (E) a Federal agency or federally owned

8 corporation that is an electric utility (as defined

9 in section 3 of the Federal Power Act (16

10 U.S.C. 796)).

11 (2) POWER LINE.—The term “power line” in-
12 cludes a transmission line or a distribution line, as
13 applicable.

14 (3) PROGRAM.—The term “program” means
15 the program established under subsection (b).

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of Energy.

18 (b) ESTABLISHMENT.—Not later than 90 days after
19 the date of enactment of this Act, the Secretary shall es-
20 tablish within the Office of Electricity Delivery and En-
21 ergy Reliability a program under which the Secretary shall
22 make grants to eligible entities to carry out activities
23 that—

1 (1) are supplemental to existing power grid-
2 hardening efforts of the eligible entity planned for
3 any given year;

4 (2) are designed to enhance public safety; and

5 (3)(A) reduce the risk of any power lines owned
6 or operated by the eligible entity causing a wildfire;
7 or

8 (B) increase the resiliency of the power grid to
9 withstand natural disasters, such as earthquakes, ice
10 storms, wind storms, snow storms, heat storms, and
11 other natural disasters.

12 (c) APPLICATION.—

13 (1) IN GENERAL.—An eligible entity desiring a
14 grant under the program shall submit to the Sec-
15 retary an application at such time, in such manner,
16 and containing such information as the Secretary
17 may require.

18 (2) REQUIREMENT.—As a condition of receiving
19 a grant under the program, an eligible entity shall
20 submit to the Secretary as part of the application of
21 the eligible entity under paragraph (1)—

22 (A) a wildfire mitigation plan, if the eligi-
23 ble entity seeks a grant for purposes of imple-
24 menting a project or otherwise carrying out ac-

1 activities to reduce wildfire risk, as described in
2 subsection (b)(3)(A); or

3 (B) a report detailing past, current, and
4 future efforts by the eligible entity to improve
5 the resiliency of the power grid with respect to
6 natural disasters, if the eligible entity seeks a
7 grant for purposes of increasing the resiliency
8 of the power grid, as described in subsection
9 (b)(3)(B).

10 (d) USE OF GRANT FUNDS.—An eligible entity may
11 use a grant provided under the program—

12 (1) for the undergrounding of new and existing
13 power lines and circuits;

14 (2) to harden overhead power lines with fire re-
15 sistant or more resilient equipment, such as steel
16 poles and covered wires;

17 (3) to replace obsolete overhead conductors and
18 underground cables;

19 (4) to install fast-tripping protection systems;

20 (5) to construct and operate 1 or more weather
21 monitoring stations;

22 (6) to install fault location equipment or early
23 fault detection equipment;

24 (7) for the relocation of power lines to road-
25 ways;

1 (8) to carry out vegetation or fuels management
2 activities in accordance with Federal, State, and
3 local laws (including regulations);

4 (9) to install technology or equipment to miti-
5 gate hazards from or to animals and related damage
6 to the power grid;

7 (10) to install cameras, sensors, or other tech-
8 nology that provides real-time information about
9 conditions;

10 (11) to install technology to detect downed con-
11 ductors;

12 (12) for the installation of electrical facilities
13 necessary to sustain targeted microgrid operations,
14 including storage for the integration of distributed
15 energy resources into power grid operations, for the
16 benefit of community resiliency following a main
17 power grid outage;

18 (13) to harden facilities, substations, and other
19 systems for seismic events; and

20 (14) for other, related power grid upgrades to
21 reduce the risk of wildfire ignition or damage from
22 natural disasters.

23 (e) PRIORITY.—In making grants under the program,
24 the Secretary shall give priority to projects that, in the
25 determination of the Secretary, will generate the greatest

1 community benefit in improving power grid resiliency to
2 natural disasters or reducing the risk of wildfire ignition
3 from power lines or equipment relative to the cost of the
4 project.

5 (f) SET ASIDES.—

6 (1) WILDFIRE SET ASIDE.—In making grants
7 under the program, the Secretary shall ensure that
8 not less than 40 percent of the total amounts made
9 available to eligible entities under the program are
10 made available to eligible entities that seek a grant
11 for purposes of implementing a project or otherwise
12 carrying out activities to reduce wildfire risk, as de-
13 scribed in subsection (b)(3)(A).

14 (2) SMALL UTILITIES SET ASIDE.—In making
15 grants under the program, the Secretary shall en-
16 sure that not less than 20 percent of the amounts
17 made available to eligible entities under the program
18 are made available to eligible entities that sell not
19 more than 4,000,000 megawatt hours of electricity
20 per year.

21 (g) MATCHING REQUIREMENT.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), as a condition of receiving a grant under
24 the program, an eligible entity shall provide match-
25 ing funds in the form of cash or an in-kind contribu-

1 tion in an amount equal to not less than 100 percent
2 of the amounts made available under the grant.

3 (2) EXCEPTION FOR SMALL UTILITIES.—With
4 respect to an eligible entity that sells not more than
5 4,000,000 megawatt hours of electricity per year, as
6 a condition of receiving a grant under the program,
7 the eligible entity shall provide matching funds in
8 the form of cash or an in-kind contribution in an
9 amount equal to not less than $\frac{1}{3}$ of the amounts
10 made available under the grant.

11 (3) EXISTING EFFORTS.—On approval by the
12 Secretary, amounts expended by an eligible entity on
13 power grid resiliency or wildfire risk mitigation ef-
14 forts during the 1-year period ending on the date on
15 which a grant is received under the program shall
16 count toward the matching requirement described in
17 paragraph (1) or (2), as applicable.

18 (h) FEDERAL POWER MARKETING ADMINISTRA-
19 TIONS.—Any amounts made available to a Federal power
20 marketing administration pursuant to a grant under the
21 program shall be nonreimbursable.

22 (i) BIENNIAL REPORT.—Not later than 2 years after
23 the date of enactment of this Act, and every 2 years there-
24 after, the Secretary shall submit to the Committee on En-
25 ergy and Natural Resources of the Senate and the Com-

1 mittee on Energy and Commerce of the House of Rep-
2 resentatives a report describing the manner in which, and
3 the extent to which—

4 (1) the resiliency of the power grid has in-
5 creased under the program during the period cov-
6 ered by the report; and

7 (2) the risk of wildfires caused by power lines
8 has been reduced under the program during the pe-
9 riod covered by the report.

10 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to the Secretary to carry
12 out the program \$10,000,000,000 for each of fiscal years
13 2022 through 2031.

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