

TITLE 16 - CONSERVATION
CHAPTER 12A - TENNESSEE VALLEY AUTHORITY

§ 831m-1. Tennessee Valley Authority least-cost planning program

(a) In general

The Tennessee Valley Authority shall conduct a least-cost planning program in accordance with this section.

(b) Conduct of program

(1) In general

In conducting a least-cost planning program under subsection (a) of this section, the Tennessee Valley Authority shall employ and implement a planning and selection process for new energy resources which evaluates the full range of existing and incremental resources (including new power supplies, energy conservation and efficiency, and renewable energy resources) in order to provide adequate and reliable service to electric customers of the Tennessee Valley Authority at the lowest system cost.

(2) Planning and selection process

The planning and selection process referred to in paragraph (1) shall—

- (A)** take into account necessary features for system operation, including diversity, reliability, dispatchability, and other factors of risk;
- (B)** take into account the ability to verify energy savings achieved through energy conservation and efficiency and the projected durability of such savings measured over time; and
- (C)** treat demand and supply resources on a consistent and integrated basis.

(3) “System cost” defined

As used in paragraph (1), the term “system cost” means all direct and quantifiable net costs for an energy resource over its available life, including the cost of production, transportation, utilization, waste management, environmental compliance, and, in the case of imported energy resources, maintaining access to foreign sources of supply.

(c) Participation by distributors

(1) In general

In conducting a least-cost planning program under subsection (a) of this section, the Tennessee Valley Authority shall—

- (A)** provide an opportunity for distributors of the Tennessee Valley Authority to recommend cost-effective energy efficiency opportunities, rate structure incentives, and renewable energy proposals for inclusion in such program; and
- (B)** encourage and assist such distributors in the planning and implementation of cost-effective energy efficiency options.

(2) Assistance

The Tennessee Valley Authority shall provide appropriate assistance to distributors under paragraph (1)(B). Such assistance shall, where cost effective, be provided by the Tennessee Valley Authority acting through, or in cooperation with, an association of distributors. Such assistance may include publications, workshops, conferences, one-on-one assistance, financial assistance, equipment loans, technology assessment studies, marketing studies, and other appropriate mechanisms to transfer information on energy efficiency and renewable energy options and programs to customers.

(d) Public review and comment

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

Before the selection and addition of a major new energy resource on the Tennessee Valley Authority system, the Tennessee Valley Authority shall provide an opportunity for public review and comment and shall include a description of any such action in an annual report to the President and Congress.

(e) Exemption from certain requirements

The Tennessee Valley Authority shall not be subject to the least-cost planning requirements contained in section 2621 (d) of this title or any similar requirement which might arise out of the Tennessee Valley Authority's electric power transactions with the Southeastern Power Administration.

(Pub. L. 102-486, title I, § 113, Oct. 24, 1992, 106 Stat. 2798.)

Codification

Section was enacted as part of the Energy Policy Act of 1992, and not as part of the Tennessee Valley Authority Act of 1933 which comprises this chapter.