

***WTR 1- Resolution Supporting the Integration of Hydropower as a part of  
Water/Wastewater/Stormwater Facilities Development, Expansion and Maintenance  
[6/13 11:23 vz – Jhughes/RYnora/KSacavage]***

*Whereas* the National Association of Regulatory Utility Commissioners (“NARUC”) acknowledged the critical economic and societal importance of the water-energy nexus relationship on November 19, 2014;<sup>1</sup>

*Whereas* NARUC vigorously supported the enactment of 42 U.S.C. 10368(d), The Water and Energy Research Integration Act of 2019 directing the U.S. Department of Energy to integrate water considerations into its energy research, development, and demonstration programs and projects, specifically by increasing water use efficiency;

*Whereas* the treatment and delivery of water and wastewater services requires a significant amount of energy, representing approximately two percent of total energy use in the United States,<sup>2</sup> a share that could rise significantly as a result of the antiquated and inefficient nature of U.S. water and wastewater infrastructure, increasing demand for expanded utility resources, supply chain constraints, and lack of state and municipal financial resources;

*Whereas* numerous research and government organizations, including the U.S. Department of Energy, have highlighted a range of opportunities for companies, including regulated utilities in both sectors to work together and with regulatory counterparts at the state and federal levels to provide efficiencies in water and energy usage in their respective industries;

*Whereas* Congress enacted The Infrastructure Investment and Jobs Act (Public Law 117-58, November 15, 2021), providing approximately 50 billion dollars for the repair, improvement, and expansion of water and wastewater infrastructure and incorporation of renewable energy resources;

*Whereas* the U.S. Environmental Protection Agency codified the Revised Cross-State Air Pollution Update Rule (Revised Rule), which significantly limits greenhouse gas emissions from generation facilities, resulting in rising energy costs;<sup>3</sup>

*Whereas* many states are innovating and adopting new technological and environmental quality standards that are aimed at promoting efficient water usage and increasing electricity generation through incorporating zero-emission hydropower into water/wastewater/stormwater infrastructure;

*Whereas* efforts by water utilities to enhance the nexus for optimal water-energy efficiency by retrofitting water infrastructure to incorporate low-impact hydroelectric technology to capture the

---

<sup>1</sup> Resolution Regarding the Water-Energy Nexus (November 19, 2014).

<sup>2</sup> Energy Efficiency for Water Utilities (U.S. EPA, 2019). Retrieved from: <https://www.epa.gov/sustainable-water-infrastructure/energy-efficiency-water-utilities>.

<sup>3</sup> 86 Fed. Reg. 23,054 (April 30, 2021). The Final Rule was affirmed on March 3, 2023; See *Midwest Ozone Group v. Environmental Protection Agency, Et. Al. On Petition for Review of a Final Action of the Environmental Protection Agency* (U.S. Court of Appeals, D.C. Cir., No. 21-1146).

kinetic energy of flowing water, integrating “smart” information and communication technologies, and using a greater share of alternative energy to fuel operations, have already yielded measurable reductions in the amount of energy used to deliver water and wastewater services; *and*

*Whereas* states possess many of the tools needed to implement policies, programs, and incentives, to fully employ the water-energy nexus for the purposes of improving and expanding water systems by incorporating zero-emission hydropower. Such incorporation energy will also yield more reliable service, stable rates for consumers, and lower carbon emissions for states and the country as a whole. *now, therefore be it*

*Resolved* that the Board of Directors of the National Association of Regulatory Utility Commissioners, convened at its 2023 Summer Policy Summit in Austin, Texas, urges states to support and facilitate the integration of hydropower as a part of water/ wastewater/ stormwater facilities development, maintenance, and expansion; *and be it further*

*Resolved* that, as the Department of Energy and other cooperating federal agencies determine appropriate distribution of funds to support the integration of hydropower into water systems, NARUC recommends that the federal rules provide the maximum flexibility to states to support integration of hydropower, and the positive impacts on water and energy prices, infrastructure, and associated environmental and public benefits to be achieved.

---

*Passed by the Committee on Water on July 18, 2023*

*Passed by the NARUC Board of Directors on July 19, 2023*