



N A R U C
National Association of Regulatory Utility Commissioners

January 4, 2021

Arun Majumdar
Team Lead
Biden-Harris Transition Department of Energy Team
Presidential Transition Headquarters
Washington, DC

Re: Assistance for the Biden-Harris Department of Energy Transition Team

Dear Mr. Majumdar:

Congratulations on winning a difficult election. While there is a lot of work to be done, the National Association of Regulatory Utility Commissioners (NARUC) is here to help. My colleagues and I are eager to get to work with the Biden Administration to tackle the nation's pressing utility issues.

NARUC has a unique perspective and valuable expertise to offer. For over 125 years, NARUC member utility commissions from every state, the District of Columbia and all U.S. Territories, have led the way in developing and implementing novel policies to promote the deployment of all utility services, including electric and gas. More often than not, these state programs have been the prototypes for cutting edge Congressional or federal agency initiatives involving critical infrastructures. That has made NARUC a gateway to an expanse of expertise and practical experience. With over 200 state utility commissioners, and an enormous pool of staff experts, NARUC can offer unparalleled access to professional analysis and practical experience to the Administration. We provide an unbiased source of information, free of competing business agendas, in any policy debate.

NARUC has a long history of working closely with the Department of Energy (DOE) on a wide range of important energy issues, including nuclear energy, fossil energy, energy efficiency, energy storage, distributed energy resource integration, and cybersecurity, through cooperative agreements with various DOE offices that allow NARUC to provide vital technical assistance to our members---while also supporting deployment of DOE-funded technologies and programs. We look forward to continuing and strengthening these partnerships and to collaborating with the Administration to fill in the few gaps that have emerged recently.

NARUC also has had opportunities to work collaboratively with the Federal Energy Regulatory Commission (FERC) on several issues. We would, however, appreciate the opportunity to address concerns regarding federal agency decisions that have encroached on state authority and blurred the distinction between federal and state jurisdiction. In particular,

NARUC is opposed to recent federal regulations that undermine or bypass the ability of states to: (1) achieve generation portfolios aligned with state policies; (2) make the smartest decisions about distributed energy resources located in their footprint; and (3) preserve electric transmission siting authority and explore electric transmission options that advance state goals without ceding control to the regional transmission organization. In our view, federal overreach has had a chilling effect on the ability of states to effectively regulate intrastate commerce. If your schedule permits, we would like to arrange a virtual meeting with you and the Agency Review Team to discuss these concerns about the federal-state relationship and find productive ways we can work together to achieve our common goal of safe, reliable, and affordable energy.

In the meantime, NARUC recommends the new Administration consider appointing state commissioners to vacancies at DOE, FERC, and related posts in other federal agencies. State commissioners live at the bleeding edge of energy policy formation. They are tested. They have real world experience. They routinely experience the unexpected and, less often, counterproductive consequences of well-meaning federal policy. NARUC has well in excess of 200 state commissioners with incredible diversity in political affiliations, academic credentials, professional experience, and cultural heritage. As serving commissioners, they have all been vetted by the press and on-the-job training. The majority of commissioners that are appointed by a governor or selected by a state legislature have also survived a separate vetting process before taking office. NARUC can help you identify suitable candidates. Indeed, the accomplishments of former FERC Commissioner Collette Honorable, also a State commission alumna, is an illustration of why prior administrations have frequently appointed a disproportionate share of State commissioners to FERC, the Federal Communications Commission, and the Nuclear Regulatory Commission.

The appendix contains the names and contact information for key NARUC Commissioners from every region of the country, as well as NARUC's Washington-based policy and partnerships staff. You should feel free to contact me personally at any time if you have any questions or concerns.

Also, NARUC's next national meeting will be held virtually on February 4-11, 2021. Typically drawing more than 1,000 attendees, we would be very pleased to provide the Administration with a platform, in a plenary session, to address the Administration's energy agenda with senior state officials and key stakeholders, as well as views on cooperative work with NARUC's member commissions.

Again, congratulations to you and the Agency Review Team for being chosen for the critical task of beginning the implementation of the new Administration's energy policy agenda. NARUC looks forward to working with you, the transition team, and the new Administration.

Sincerely,

A handwritten signature in blue ink that reads "Paul Kjellander". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul Kjellander
NARUC President

APPENDIX
KEY CONTACTS FOR THE
NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS

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