

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend the Public Utility Regulatory Policies Act of 1978 to require States to consider measures to promote greater electrification of the transportation sector, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

Mr. HICKENLOOPER (for himself and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

---

**A BILL**

To amend the Public Utility Regulatory Policies Act of 1978 to require States to consider measures to promote greater electrification of the transportation sector, 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 “Responsibly and Equi-  
5 tably Change How Auto-charging Rates Get Evaluated  
6 Act” or the “RECHARGE Act”.

1 **SEC. 2. CONSIDERATION OF MEASURES TO PROMOTE**  
2 **GREATER ELECTRIFICATION OF THE TRANS-**  
3 **PORTATION SECTOR.**

4 (a) IN GENERAL.—Section 111(d) of the Public Util-  
5 ity Regulatory Policies Act of 1978 (16 U.S.C. 2621(d))  
6 is amended by adding at the end the following:

7 “(20) ELECTRIC VEHICLE CHARGING PRO-  
8 GRAMS.—Each State shall consider measures to pro-  
9 mote greater electrification of the transportation sec-  
10 tor, including the establishment of rates that—

11 “(A) promote affordable and equitable  
12 electric vehicle charging options for residential,  
13 commercial, and public electric vehicle charging  
14 infrastructure;

15 “(B) improve the customer experience as-  
16 sociated with electric vehicle charging, including  
17 by reducing charging times for light-, medium-  
18 , and heavy-duty vehicles;

19 “(C) accelerate both third-party investment  
20 and investments by electric utilities in electric  
21 vehicle charging stations for light-, medium-,  
22 and heavy-duty vehicles; and

23 “(D) appropriately recover the marginal  
24 costs of delivering electricity to electric vehicles  
25 and electric vehicle charging infrastructure.”.

26 (b) COMPLIANCE.—

1           (1) TIME LIMITATION.—Section 112(b) of the  
2 Public Utility Regulatory Policies Act of 1978 (16  
3 U.S.C. 2622(b)) is amended by adding at the end  
4 the following:

5           “(7)(A) Not later than 1 year after the date of  
6 enactment of this paragraph, each State regulatory  
7 authority (with respect to each electric utility for  
8 which the State has ratemaking authority) and each  
9 nonregulated utility shall commence consideration  
10 under section 111, or set a hearing date for consid-  
11 eration, with respect to the standard established by  
12 paragraph (20) of section 111(d).

13           “(B) Not later than 2 years after the date of  
14 enactment of this paragraph, each State regulatory  
15 authority (with respect to each electric utility for  
16 which the State has ratemaking authority), and each  
17 nonregulated electric utility shall complete the con-  
18 sideration and make the determination under section  
19 111 with respect to the standard established by  
20 paragraph (20) of section 111(d).”.

21           (2) FAILURE TO COMPLY.—Section 112(c) of  
22 the Public Utility Regulatory Policies Act of 1978  
23 (16 U.S.C. 2622(c)) is amended by adding at the  
24 end the following: “In the case of the standard es-  
25 tablished by paragraph (20) of section 111(d), the

1 reference contained in this subsection to the date of  
2 enactment of this Act shall be deemed to be a ref-  
3 erence to the date of enactment of that paragraph.”.

4 (3) PRIOR STATE ACTIONS.—

5 (A) IN GENERAL.—Section 112 of the  
6 Public Utility Regulatory Policies Act of 1978  
7 (16 U.S.C. 2622) is amended by adding at the  
8 end the following:

9 “(g) PRIOR STATE ACTIONS.—Subsections (b) and  
10 (c) shall not apply to the standard established by para-  
11 graph (20) of section 111(d) in the case of any electric  
12 utility in a State if, before the date of enactment of this  
13 subsection—

14 “(1) the State has implemented for the electric  
15 utility the standard (or a comparable standard);

16 “(2) the State regulatory authority for the  
17 State or the relevant nonregulated electric utility has  
18 conducted a proceeding to consider implementation  
19 of the standard (or a comparable standard) for the  
20 electric utility; or

21 “(3) the State legislature has voted on the im-  
22 plementation of the standard (or a comparable  
23 standard) for the electric utility during the 3-year  
24 period ending on that date of enactment.”.

1                   (B) CROSS-REFERENCE.—Section 124 of  
2 the Public Utility Regulatory Policies Act of  
3 1978 (16 U.S.C. 2634) is amended—

4                   (i) by striking “this subsection” each  
5 place it appears and inserting “this sec-  
6 tion”; and

7                   (ii) by adding at the end the fol-  
8 lowing: “In the case of the standard estab-  
9 lished by paragraph (20) of section 111(d),  
10 the reference contained in this section to  
11 the date of enactment of this Act shall be  
12 deemed to be a reference to the date of en-  
13 actment of that paragraph.”.