Principles for Federal Permitting Reform

THE NEW ENGLAND COUNCIL

Background

Because of developments in load growth in the region, coupled with New England's unique grid constraints, high electricity prices, and aggressive state climate targets, The New England Council sought input from our members on recommendations for lawmakers on federal permitting frameworks that foster grid reliability, investment certainty, and lower consumer costs. The following Regional Permitting Reform Principles reflect input from a wide array of New England Council members across the energy sector, developed through a series of stakeholder discussions on federal efforts to modernize the permitting process. As Congress considers permitting reform proposals in the coming weeks and months, the Council hopes these principles will be helpful in guiding a regional approach that reflects the operational and economic realities of New England's energy ecosystem.

REGIONAL PRINCLES

1

Predictability

Increase predictability across regulatory bodies. Regulatory ambiguity creates significant risk for capital-intensive projects, including offshore wind, natural gas infrastructure, and long-distance transmission. The Council supports permitting reform efforts that seek to narrow the scope of regulatory review and limit litigation delays. Additionally, the Council recommends that agencies be held to enforceable statutory review deadlines.

2

Streamlined Interagency Review

Establish federal guidelines for interstate infrastructure and streamline interagency reviews, including a "one-stop" permitting process so that energy and transmission projects are not required to separately satisfy overlapping federal, state, and local review requirements. Establish permitting reform efforts that seek to narrow regulatory reviews to and limit litigation delays and institute mechanisms that require statutory review deadlines be met.

3 Technology Neutrality

Future permitting reform legislation should consistently maintain a technology-neutral approach that supports renewables, storage, natural gas infrastructure, and nuclear power alike, recognizing that New England will continue to rely on natural gas alongside expanding renewable and nuclear capacity for the foreseeable future.

4 Permit Stability & Certainty

Create a durable, transparent regulatory environment that attracts domestic and international private capital for offshore wind, battery storage, natural gas infrastructure, and grid-enhancing technologies alike, applying permit protections consistently across all energy technologies rather than selectively. Regional projects require stable, vested permit conditions. Developers should not be exposed to mid-construction policy shifts. Once a permit has been issued and a developer has made meaningful investment, that permit should not be retroactively revoked or subject to new conditions.

5 Ratepayer Affordability

Preserve ratepayer affordability and cost transparency, and accelerate energy infrastructure expansion consistent with cost-causation principles. Ensuring that customers who benefit from new infrastructure bear a proportionate share of its costs, rather than shifting those costs broadly onto residential and commercial consumers who do not.

6 Environmental Integrity & State/Local Coordination

Maintain environmental integrity alongside infrastructure modernization. The Council urges lawmakers to streamline environmental review processes while not sacrificing core public health or ecological standards. Additionally, the Council recommends that federal legislation address the role of state and local authorities in the permitting process, including the ability of individual cities and towns to impose ongoing moratoria that stall or block projects.

If you have any questions or would like to discuss these principles further, please contact Sean Malone, Director of Federal Affairs, at smalone@newenglandcouncil.com or (617) 723-4009.