

Rich Nolan
President & CEO

June 24, 2025

The Honorable Brett Guthrie
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Guthrie, Ranking Member Pallone and Members of the committee:

The National Mining Association (NMA) strongly supports the committee's markup of legislation focused on protecting the reliability, affordability, and resilience of America's electric grid. We thank Energy Subcommittee Chairman Bob Latta (R-Ohio) and members of the Committee for their leadership and urge you to report these bills favorably to the full House.

The NMA is the only national trade organization that serves as the voice of the U.S. mining industry and the hundreds of thousands of American workers it employs before Congress, the federal agencies, the judiciary, and the media, advocating for public policies that will help America fully and responsibly utilize its vast natural resources. We work to ensure America has secure and reliable supply chains, abundant and affordable energy, and the American-sourced materials necessary for U.S. manufacturing, national security, and economic security, all delivered under world-leading environmental, safety, and labor standards. The NMA has a membership of nearly 300 companies and organizations involved in every aspect of mining, from producers and equipment manufacturers to service providers.

These legislative proposals offer urgently needed solutions to the worsening reliability crisis facing our bulk power system. As America enters a new era of electrification and explosive demand growth—driven in large part by AI and data center expansion—the nation cannot afford to lose more dependable, dispatchable generation. Recent projections show grid operators like PJM and the Southwest Power Pool forecasting demand increases of 30–75% within the next decade. Yet while demand soars, poor planning decisions and politically driven retirements of fuel-secure generation continue to weaken the grid. These bills take meaningful steps to reverse that trajectory, protect on-demand power sources like coal, and ensure Americans have access to affordable, always-available electricity when they need it most. Specifically, the NMA urges passage of the following bills:

- H.R. 3616, the Reliable Power Act, introduced by Rep. Troy Balderson (R-Ohio), provides a commonsense safeguard against federal regulations that could compromise electric grid reliability. The bill requires the Federal Energy

Regulatory Commission (FERC) to review proposed regulations from federal agencies when the North American Electric Reliability Corporation (NERC) issues a formal finding that the grid is at risk of generation inadequacy. Agencies would be prohibited from finalizing such regulations unless FERC determines the action would not significantly impair the grid's ability to supply sufficient electricity. As electricity demand rises rapidly, this legislation ensures federal policy does not worsen reliability risks by sidelining dependable, fuel-secure generation sources.

- H.R. 3632, the Power Plant Reliability Act, introduced by Rep. Morgan Griffith (R-Va.), which gives FERC the authority to intervene in premature generation retirements that threaten grid stability. It also requires owners to give five years' notice before closing plants—providing the time and transparency grid operators need to plan for reliable replacement capacity.
- H.R. 3015, the National Coal Council Reestablishment Act, introduced by Rep. Michael Rulli (R-Ohio), formally codifies in law the National Coal Council, which was reestablished by presidential executive order on April 8, 2025. This bill ensures that coal—a dependable, fuel-secure energy source—maintains an institutional voice in Department of Energy policymaking through a permanent advisory body.
- H.R. 3628, the State Planning for Reliability and Affordability Act, introduced by Rep. Gabe Evans (R-Colo.), which requires states to evaluate whether their energy resource plans can maintain an adequate electricity supply over a 10-year outlook. The bill encourages states to account for dependable, fuel-secure resources that can operate continuously during normal fluctuations in weather and demand. Poor planning decisions—not the weather—are increasingly turning routine conditions into grid emergencies, putting American lives at risk and exposing the consequences of sidelining dispatchable generation.
- H.R. 3157, the State Energy Accountability Act, introduced by Rep. Nick Langworthy (R-N.Y.), would require states pursuing renewable energy mandates to disclose how these policies impact electricity rates, reliability, and reliance on out-of-state generation. States chasing 100% renewable portfolios often promote low-cost energy without acknowledging that inverter-based resources—like wind and solar—only produce power when subject to weather conditions. These conditions rarely align with periods of peak electricity demand, forcing grid operators to rely on higher-cost generation from other states to maintain system balance. This mismatch drives up electricity prices and hides the true cost of relying on weather-dependent resources. Ratepayers deserve transparency about how these

policies affect both their bills and the grid's ability to deliver dependable electricity when it is needed most.

Together, these bills represent a decisive course correction—prioritizing reliability, transparency, and realism in federal and state energy policy. As FERC commissioners, grid operators, and energy experts have warned, the U.S. is rapidly heading toward a reliability crisis. Demand is rising at an unprecedented pace, while regulatory policies continue to force essential generation offline. This package aligns policy with reality: dependable, dispatchable power—especially coal—is indispensable to keeping the lights on.

We thank Chairman Guthrie, Subcommittee Chairman Latta, and the sponsors of these bills—Reps. Balderson, Griffith, Rulli, Evans, and Langworthy—for their leadership. We urge the full committee to support this critical legislative package to ensure that Americans have access to affordable, dependable power and that federal energy policy meets this challenge.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Nolan", followed by a long horizontal line extending to the right.

Rich Nolan