

**Opening Statement of the Honorable Fred Upton**  
**Subcommittee on Energy and Power**  
**Markup on H.R. 4273 and H.R. 5892**  
**June 7, 2012**  
*(As Prepared for Delivery)*

We have before us today two very important pieces of bipartisan energy legislation. I want to commend my colleagues for their hard work and I urge members to support both of these bills.

The "Resolving Environmental and Grid Reliability Conflicts Act of 2012," authored by Mr. Olson, Mr. Doyle, and Mr. Green, protects our nation's electricity producers from being penalized or sued for violating a conflicting environmental law when they have been directed by the federal government to operate during an emergency. The bill addresses the basic principle that the federal government should not be able to direct a generator to operate for emergency purposes and then turn around and fine them for doing so.

The potential conflict puts the electric grid at risk and puts generators in the inequitable and unenviable position of having to choose between keeping the lights on and meeting their environmental obligations. It's simply not fair and must be resolved, which is why I am pleased that our colleagues have developed bipartisan legislation to do just that.

I also understand that there is a commitment from both sides to continue working to address some remaining concerns with H.R. 4273. I am encouraged by these good faith discussions and am hopeful these issues can be resolved.

The other bill being considered today is the "Hydropower Regulatory Efficiency Act of 2012." I am very pleased to see that our colleagues, Ms. McMorris Rodgers and Ms. DeGette, have worked together to develop this critical piece of hydropower legislation.

Hydropower is the nation's largest renewable energy resource and the bill before us today will help facilitate the development of new hydropower resources that will provide affordable and reliable energy for decades to come.

The legislation has great promise for increased hydropower development across the nation, including for Michigan. Meeting the new hydropower project demand facilitated by this bill will create thousands of construction and manufacturing jobs to help stimulate the economy. Further, the electricity produced by these new projects will provide clean and low-cost power to American homes and businesses.

I again want to emphasize how pleased I am to see both sides of the aisle working together to bring before this committee two more examples of strong bipartisan energy legislation.

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