

***Federal Advisory Committee Act (FACA) Overview***

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# Key Elements of Federal Advisory Committee Act (FACA)

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## Congressional Concerns

- ◆ Proliferation of committees and waste of federal funds
  
- ◆ Lack of transparency and accountability
  
- ◆ Domination by special interests

## FACA Requirements

- ◆ Structured Management
  - Filed charter
  - Expiration after two years
  - President reports to Congress
  - Attendance of Designated Federal Officer
  
- ◆ Public Access
  - Meetings
  - Records
  
- ◆ Balanced Membership



# TVA's Regional Energy Resource Council

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- ◆ Created by TVA “to provide advice on its energy resource activities and the priorities among competing objectives and values”
  
- ◆ TVA's energy resource activities include:
  - Constructing and operating various supply-side resources, including fossil-fueled power plants, nuclear plants, hydroelectric dams, and renewable resources
  - The development and management of demand-side resources, including energy efficiency
  - The design, construction, and operation of power delivery systems
  - The integration of all of these energy resources into plans for meeting future demands for electricity in the TVA region



# Key Provisions of RERC Charter

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- ◆ Council provides advice only
  - Advice reported to the TVA Board's External Relations Committee
- ◆ Term of Council is two years
  - First term is September 1, 2013 to August 31, 2015
- ◆ Approximately two meetings per year
- ◆ Balanced membership to represent broad range of diverse views and interests
  - Valley Governors nominate one member each
  - One member representing Tennessee Valley Public Power Association (TVPPA)
  - One member representing distributors of TVA power
  - One member representing Tennessee Valley Industrial Committee (TVIC)
  - One member representing direct-served customers
  - Two members representing each of:
    - NGOs focused on environmental and/or energy issues
    - Chamber of commerce or economic and community development
    - Academic or research center
  - Three at-large members to ensure a broad range of views
- ◆ Members represent the group, organization, or other entity identified in making that member's appointment to the Council



# Mechanics of Council Meetings

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- ◆ Designated Federal Officer (DFO): Joe Hoagland, Chief Technology Officer, Operations
  - Alternate DFO: John Myers, Director, Environmental Policy & Regulatory Affairs
  
- ◆ Quorum: 11 voting members
  
- ◆ Council Deliverable: Advice
  - Recommendations to TVA require an affirmative vote of at least a majority of the total Council membership present on that date
  - During discussion, the Council drives towards consensus on the advice given
  
- ◆ Public Involvement