



Permitting Neutrality: Leveling the Playing Field

Congress must advance a comprehensive, bipartisan reform package, including permitting neutrality provisions, to ensure the U.S. grid can meet surging demand and secure America's competitive edge.

Corporate buyers — including the nation's largest manufacturers, retailers, data centers, and technology providers — face unprecedented challenges as electricity demand surges. Load growth from semiconductor fabrication, reshored and onshored manufacturing, AI, and electrification is using any spare generating capacity and outpacing grid readiness. Billions in U.S. investment are at risk because today's grid cannot deliver the reliable, affordable electricity that modern operations require.

Likewise, corporate buyers cannot afford a permitting process that drags projects into indefinite limbo. **This is why CEBA supports broad permitting reform.** And more specifically, we believe we must deploy a technology-neutral approach to permitting energy projects in the U.S. — energy security cannot be held hostage to shifting political winds. Equal treatment across all energy technologies — oil, gas, wind, solar, nuclear, storage, and carbon capture — is essential to securing a diverse, reliable supply. Transparency, accountability, and firm timelines must replace permitting uncertainty to drive infrastructure development in the U.S. Without these reforms, projects will continue to stall, costs will rise, and urgent demand will go unmet.

Each U.S. region holds unique resources: wind across the Plains, solar in the Southwest, hydropower in the Northwest, natural gas in Appalachia, and nuclear in the Southeast. These advantages must be harnessed now. Without neutral permitting reform, we risk jeopardizing the energy security and affordability on which businesses, and the broader economy, depend.



TEN PRINCIPLES FOR PERMITTING NEUTRALITY

1 All energy technologies must be treated equally in permitting.

Federal decisions cannot implicitly or explicitly discriminate based on technology type (oil, gas, wind, solar, nuclear, batteries, carbon capture, etc.). The national interest is served by a diverse, affordable, reliable energy supply.

2 Transparency and accountability are essential.

Agencies must provide full transparency on permits filed and their status and be held to definitive timelines. Environmental review must be bound by explicit timelines — not left to executive branch discretion.

3 Application completeness cannot be an endless loop.

Agencies must make a completeness determination within a finite window for environmental permit applications, and projects must not be held in prereview limbo indefinitely.

4 Permit scoping must start on a clock.

Once an application is “complete,” the agency must move toward a determination on a defined schedule.

5 Any post-permit decision-making must also be time-bound.

Final decisions (i.e., ROD/FONSI) and subsequent agency authorizations cannot drift — there must be deadlines for the follow-on permits.

6 Judicial review must be timely.

If a dispute goes to court, the court must act within a finite period.

7 The executive branch cannot arbitrarily “take back” or suspend permits.

Once a project has its approvals, agencies cannot suspend/revoke/withdraw those approvals without meeting clear statutory conditions.

8 Temporary suspensions must be short and specific.

There can be a temporary pause authority for emergencies — but short, narrow, time-limited, and documented.

9 Sponsors must have a procedural due process.

If an agency fails to meet deadlines or proposes to revoke/suspend/alter an authorization, the sponsor must receive notice, a rationale, evidence, and a chance to contest with the equivalent of a senior career staff ombudsman at the relevant agency or could seek relief through the courts.

10 If the government reverses approved permits, sponsors must be made whole.

If the federal government halts or revokes approvals, other than for narrow statutory reasons, the project sponsor is entitled to relief.



The Corporate Energy Buyers Association (CEBA) is a business association that activates energy buyers and their partners to drive low-cost, reliable, carbon emissions-free global electricity systems. CEBA represents more than 375 members with \$38 trillion in market value, including energy customers of all sizes, suppliers, and service providers.

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