

TVA Full Public Statement

Final 02/02/2022

This is a complex and evolving issue – and one we’ve been following closely. We respect the role of state government in making these decisions, but as a federal agency, TVA is required to comply with federal statutes.

TVA recognizes that we have an obligation to provide wholesale power supply to Local Power Companies (LPCs) under the wholesale power contract, which is governed by federal law, and that LPCs have an obligation to serve local customers under state law.

While some states have enacted (or may soon enact) laws permitting the cultivation and distribution of marijuana for either medicinal or recreational purposes, marijuana, regardless of its intended use, remains a Schedule I substance under the federal Controlled Substances Act of 1970. Federal resources and funds may not be purposely used to facilitate activity that potentially violates federal law.

Given this important point, TVA will not direct any federal resources or funds to the cultivation and/or distribution of marijuana.

If a TVA employee learns that an end-use customer served by an LPC is engaged in activity that may violate federal law governing marijuana, the employee will report the activity to their management, and TVA management will make a determination regarding our reporting obligations to agencies that may have proper jurisdiction to enforce the federal Controlled Substances Act.

TVA’s current position is based on our assessment of our obligations on this complex issue. We have reached out to and are working with other federal agencies, including the Department of Justice, to ensure that our actions are consistent with applicable federal requirements. Based on that outreach, if TVA must take additional action, we will communicate any changes to our policy to our customers as soon as possible. In the meantime, we will also closely monitor actions and further guidance from Congress that could further inform TVA’s position.