

108TH CONGRESS  
1ST SESSION

# H. R. 3506

To amend the Federal Power Act to authorize a State to regulate the sale at wholesale of electric energy generated, transmitted, and distributed solely within that State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2003

Mr. FILNER introduced the following bill; which was referred to the Committee on Energy and Commerce

# A BILL

To amend the Federal Power Act to authorize a State to regulate the sale at wholesale of electric energy generated, transmitted, and distributed solely within that State, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3 SECTION 1. STATE REGULATION OF SALE AT WHOLESALE  
4 OF ELECTRIC ENERGY GENERATED, TRANS-  
5 MITTED, AND DISTRIBUTED INTRASTATE.

6 Section 201 of the Federal Power Act (16 U.S.C.  
7 824) is amended by adding at the end the following new  
8 subsection:

1        “(h) STATE REGULATION OF INTRASTATE SALE OF  
2 ELECTRIC ENERGY AT WHOLESALE.—A State may regu-  
3 late the sale of electric energy at wholesale, including fix-  
4 ing rates for such sale, if the electric energy is generated  
5 solely within that State for transmission and distribution  
6 solely within that State. The Commission shall not have  
7 jurisdiction to regulate such intrastate sale of electric en-  
8 ergy at wholesale to the extent the State regulates such  
9 sale.”.

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