

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.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2003

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

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## 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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