

108TH CONGRESS
1ST SESSION

S. 723

To amend the Federal Power Act to provide refunds for unjust and unreasonable charges on electric energy in the State of California.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2003

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Federal Power Act to provide refunds for unjust and unreasonable charges on electric energy in the State of California.

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. SHORT TITLE.**

4 This Act may be cited as the “Electricity Gouging
5 Refund Act of 2003”.

6 **SEC. 2. REFUNDS FOR EXCESSIVE CHARGES.**

7 Section 206 of the Federal Power Act (16 U.S.C
8 824e) is amended by adding at the end the following:

9 “(e) REFUNDS FOR EXCESSIVE CHARGES.—

10 “(1) IN GENERAL.—

1 “(A) REFUNDS.—Notwithstanding any
2 other provision of this section, not later than 60
3 days after the date of enactment of this sub-
4 section, the Commission shall issue an order re-
5 quiring a refund of the portion of charges on
6 the transmission or sale of electric energy that
7 are or have been found by the Commission to
8 be unjust or unreasonable.

9 “(B) INTEREST.—A refund under subpara-
10 graph (A) shall include interest from the date
11 on which the charges were paid.

12 “(C) AMOUNT.—The total amount of re-
13 funds ordered under subparagraph (A) shall be
14 not less than \$8,900,000,000.

15 “(2) APPLICABILITY.—Paragraph (1) applies to
16 charges for electric energy transmitted or sold dur-
17 ing the period beginning on June 1, 2000, and end-
18 ing on June 19, 2001.

19 “(f) RENEGOTIATION OF CONTRACTS.—Not later
20 than 30 days after the date of enactment of this sub-
21 section, the Commission shall order the renegotiation of
22 the long-term electricity contracts entered into between
23 the energy companies and the State of California between
24 January 1 and May 31, 2001.”.

○