

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To require a coordinated response to coal fuel supply emergencies that could impact electric power system adequacy or reliability.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**(no.)** \_\_\_\_\_

To provide for the modernization of the energy policy of the United States, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. FRANKEN

Viz:

1 At the end of subtitle E of title III, add the following:

2 **SEC. 34 \_\_\_\_ . SEVERE COAL SUPPLY EMERGENCY RESPONSE.**

3 (a) DEFINITIONS.—In this section:

4 (1) BOARD.—The term “Board” means the  
5 Surface Transportation Board.

6 (2) ELECTRIC RELIABILITY ORGANIZATION.—  
7 The term “Electric Reliability Organization” has the  
8 meaning given the term in section 215 of the Fed-  
9 eral Power Act (16 U.S.C. 824o).

10 (3) FORM OE-417.—The term “Form OE-417”  
11 means the form entitled “Electric Emergency Inci-

1       dent and Disturbance Report” (or a successor form)  
2       and filed in accordance with the Federal Energy Ad-  
3       ministration Act of 1974 (15 U.S.C. 761 et seq.).

4           (4) SEVERE COAL SUPPLY EMERGENCY.—The  
5       term “severe coal supply emergency” means a coal  
6       supply deficiency reported to the Department on  
7       Form OE-417 that has the potential to affect at  
8       least 500 MW of electricity generation or 100,000  
9       electricity customers.

10       (b) COORDINATION AND REPORT.—

11           (1) REPORTING DUTY.—On the filing of a  
12       Form OE-417 that reports a severe coal supply  
13       emergency, the Secretary shall notify the Board and  
14       the Federal Energy Regulatory Commission.

15           (2) CONSULTATION AND COORDINATION.—The  
16       Secretary, the Board, the Federal Energy Regu-  
17       latory Commission, and, as appropriate, the Electric  
18       Reliability Organization, shall, to the maximum ex-  
19       tent practicable, consult and coordinate with each  
20       other to alleviate and prevent recurrences of a severe  
21       coal supply emergency.

22           (3) REPORT.—Not later than 1 year after the  
23       date of enactment of this Act, the Secretary, in con-  
24       sultation with the Board, the Commission, and, as  
25       appropriate, the Electric Reliability Organization,

1 shall submit a report to Congress that analyzes and  
2 includes recommendations with respect to—

3 (A) the effects of rail congestion on the  
4 flow of energy commodities such as coal;

5 (B) the effects of rail congestion on the re-  
6 liability of the bulk-power system (as that term  
7 is defined in section 215 of the Federal Power  
8 Act (16 U.S.C. 824o));

9 (C) the advisability of creating a minimum  
10 coal stockpile requirement; and

11 (D) other appropriate measures that could  
12 prevent the development or recurrence of severe  
13 coal supply emergencies.