

AMENDMENT NO. _____ Calendar No. _____

Purpose: To revise a provision relating to refund authority.

IN THE SENATE OF THE UNITED STATES—109th Cong., 1st Sess.

S. _____

To enhance the energy security 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
_____		to	Title	XII—Electricity	
(END05371.LC)					

Viz:

1 Beginning on page 82, strike line 19 and all that fol-
2 lows through page 83, line 4 and insert the following:

3 “(e)(1) In this subsection:

4 “(A) The term ‘short-term sale’ means an
5 agreement for the sale of electric energy at wholesale
6 in interstate commerce that is for a period of 48
7 hours or less.

8 “(B) The term ‘applicable Commission rule’
9 means a Commission rule applicable to sales at

1 wholesale by public utilities that the Commission de-
2 termines after notice and comment should also be
3 applicable to entities subject to this subsection.

4 “(2) If an entity described in section 201(f) volun-
5 tarily makes a short-term sale of electric energy through
6 an organized market in which the rates for the sale are
7 established by Commission-approved tariff (rather than by
8 contract) and the sale violates the terms of the tariff or
9 applicable Commission rules in effect at the time of the
10 sale, the entity shall be subject to the refund authority
11 of the Commission under this section with respect to the
12 violation.