

112TH CONGRESS  
1ST SESSION

# S. 400

To amend the Federal Power Act to ensure that rates and charges for electric energy are assessed in proportion to measurable reliability or economic benefit, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2011

Mr. CORKER (for himself, Mr. WYDEN, Ms. MURKOWSKI, Mr. BURR, Mr. GRAHAM, Mr. CHAMBLISS, and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Federal Power Act to ensure that rates and charges for electric energy are assessed in proportion to measurable reliability or economic benefit, 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. ALLOCATION OF RATES OR CHARGES FOR**  
4 **ELECTRIC ENERGY.**

5 Section 205 of the Federal Power Act (16 U.S.C.  
6 824d) is amended—

1           (1) by striking the section heading and all that  
2 follows through “(a) All” and inserting the fol-  
3 lowing:

4 **“SEC. 205. RATES AND CHARGES.**

5           “(a) IN GENERAL.—

6           “(1) REQUIREMENT.—Subject to paragraph  
7 (2), all”; and

8           (2) by adding at the end the following:

9           “(2) ALLOCATION.—No rate or charge for or in  
10 connection with the transmission of electric energy  
11 contained in any filing made under subsection (c) or  
12 any proceeding initiated under section 206(a) after  
13 June 17, 2010, shall be considered just and reason-  
14 able unless the rate or charge is based on an alloca-  
15 tion of costs for new transmission facilities that is  
16 reasonably proportionate to measurable economic or  
17 reliability benefits projected, as determined by the  
18 Commission, to accrue to the 1 or more persons that  
19 pay the rate or charge.”.

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