

106TH CONGRESS  
2D SESSION

# S. 2072

To require the Secretary of Energy to report to Congress on the readiness of the heating oil and propane industries.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 2000

Mr. KERRY (for himself, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. JEFFORDS) 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 require the Secretary of Energy to report to Congress on the readiness of the heating oil and propane industries.

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 “Home Heating Readiness Act”.

### 6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) in the United States, more than 10,000,000  
9 households burn heating oil and more than  
10 5,000,000 burn propane to generate space heat;

1           (2) sharp and sustained increases in the price  
 2           of heating oil and propane disproportionately harm  
 3           poor and elderly people with low and fixed incomes,  
 4           who may be forced to choose between heat and food,  
 5           medicine, and other basic necessities;

6           (3) sharp and sustained increases in the price  
 7           of heating oil and propane can negatively affect the  
 8           national economy and regional economies, and such  
 9           increases have occurred in the winters of 1983–84,  
 10          1988–89, 1996–97, and 1999–2000;

11          (4) sharp and sustained increases in the price  
 12          of heating oil and propane can be caused by—

13               (A) deficiencies in global or regional crude  
 14               oil or refined product supplies;

15               (B) inadequacy or underutilization of refin-  
 16               ery capacity;

17               (C) inadequacy, underutilization, or disad-  
 18               vantageous distribution of regional refined  
 19               product storage capacity;

20               (D) adverse weather conditions;

21               (E) impediments to efficient and timely  
 22               transportation of refined product;

23               (F) market inefficiencies; and

24               (G) other factors affecting the functional  
 25               capability of the energy industry;

1           (5) the Energy Information Administration is  
2           charged with analyzing the United States energy in-  
3           dustry and markets and providing projections on the  
4           retail price of energy products, including heating oil  
5           and propane;

6           (6) future sharp and sustained increases in the  
7           national and regional price of heating oil and pro-  
8           pane can be avoided or at least mitigated if—

9                   (A) the Energy Information Administra-  
10                  tion identifies potential failures in the func-  
11                  tional capability of the energy industry to pro-  
12                  vide affordable heating oil and propane to con-  
13                  sumers in all regions of the United States; and

14                   (B) those potential failures are remedied;  
15                  and

16           (7) avoiding sharp and sustained increases in  
17           the national and regional price of heating oil and  
18           propane can reduce Federal, State, and local ex-  
19           penditures to assist low-income and other households  
20           in need of financial assistance when prices increase.

21 **SEC. 3. ANNUAL HOME HEATING READINESS REPORTS.**

22           (a) IN GENERAL.—Part A of title I of the Energy  
23           Policy and Conservation Act (42 U.S.C. 6211 et seq.) is  
24           amended by adding at the end the following:

1 **“SEC. 108. ANNUAL HOME HEATING READINESS REPORTS.**

2       “(a) IN GENERAL.—On or before September 1 of  
3 each year, Secretary, acting through the Administrator of  
4 the Energy Information Agency, shall submit to Congress  
5 a Home Heating Readiness Report on the readiness of the  
6 heating oil and propane industries to supply fuel under  
7 various weather conditions, including rapid decreases in  
8 temperature.

9       “(b) CONTENTS.—The Home Heating Readiness Re-  
10 port shall include—

11               “(1) estimates of the consumption, expendi-  
12 tures, and average price per gallon of heating oil and  
13 propane for the upcoming period of October through  
14 March for various weather conditions, with special  
15 attention to extreme weather, and various regions of  
16 the country;

17               “(2) an evaluation of—

18                       “(A) global and regional crude oil and re-  
19 fined product supplies;

20                       “(B) the adequacy and utilization of refin-  
21 ery capacity;

22                       “(C) the adequacy, utilization, and dis-  
23 tribution of regional refined product storage ca-  
24 pacity;

25                       “(D) weather conditions;

1           “(E) the refined product transportation  
2           system;

3           “(F) market inefficiencies; and

4           “(G) any other factor affecting the func-  
5           tional capability of the heating oil industry and  
6           propane industry that has the potential to af-  
7           fect national or regional supplies and prices;

8           “(3) recommendations on steps that the Fed-  
9           eral, State, and local governments can take to pre-  
10          vent or alleviate the impact of sharp and sustained  
11          increases in the price of heating oil and propane;  
12          and

13          “(4) recommendations on steps that companies  
14          engaged in the production, refining, storage, trans-  
15          portation of heating oil or propane, or any other ac-  
16          tivity related to the heating oil industry or propane  
17          industry, can take to prevent or alleviate the impact  
18          of sharp and sustained increases in the price of  
19          heating oil and propane.

20          “(c) INFORMATION REQUESTS.—The Secretary may  
21          request information necessary to prepare the Home Heat-  
22          ing Readiness Report from companies described in sub-  
23          section (b)(4).”.

24          (b) CONFORMING AND TECHNICAL AMENDMENTS.—  
25          The Energy Policy and Conservation Act is amended—

1           (1) in the table of contents in the first section  
2           (42 U.S.C. prec. 6201), by inserting after the item  
3           relating to section 106 the following:

“Sec. 107. Major fuel burning stationary source.

“Sec. 108. Annual home heating readiness reports.”; and

4           (2) in section 107 (42 U.S.C. 6215), by striking  
5           “SEC. 107. (a) No Governor” and inserting the fol-  
6           lowing:

7   **“SEC. 107. MAJOR FUEL BURNING STATIONARY SOURCE.**

8           “(a) No Governor”.

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