

107TH CONGRESS
2D SESSION

H. R. 3952

To establish an Office of Consumer Advocacy within the Department of Justice to represent the consumers of electricity and natural gas in proceeding before the Federal Energy Regulatory Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2002

Mr. DEFAZIO introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish an Office of Consumer Advocacy within the Department of Justice to represent the consumers of electricity and natural gas in proceeding before the Federal Energy Regulatory Commission, 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. FEDERAL ENERGY REGULATORY COMMISSION**

4 **OFFICE OF CONSUMER ADVOCACY.**

5 (a) DEFINITIONS.—In this section:

1 (1) COMMISSION.—The term “Commission”
2 means the Federal Energy Regulatory Commission.

3 (2) NATURAL GAS COMPANY.—The term “nat-
4 ural gas company” has the meaning given that term
5 in section 2 of the Natural Gas Act (15 U.S.C.
6 717a), as modified by section 601(a) of the natural
7 Gas Policy Act of 1978 (15 U.S.C. 3431a).

8 (3) OFFICE.—The term “Office” means the Of-
9 fice of Consumer Advocacy established by subsection
10 (b)(1).

11 (4) PUBLIC UTILITY.—The term “public util-
12 ity” means public utility as defined in section 201(e)
13 of the Federal Power Act.

14 (4) CONSUMERS.—The term ‘consumers of elec-
15 tricity or natural gas’ means only—

16 (A) residential consumers of electricity or
17 natural gas,

18 (B) commercial consumers of electricity
19 having a peak electric demand of not more than
20 1,000 kilowatts; and

21 (C) commercial consumers of natural gas
22 having a peak demand of not more than 150
23 million cubic feet.

24 (b) OFFICE.—

1 (1) ESTABLISHMENT.—There is established
2 within the Department of Justice an Office of Con-
3 sumer Advocacy.

4 (2) DIRECTOR.—The Office shall be headed by
5 a Director to be appointed by the President, by and
6 with the advice and consent of the Senate.

7 (3) DUTIES.—The Office may—

8 (A) represent, and appeal on behalf of,
9 consumers of electricity or natural gas provided
10 (directly or indirectly) by public utilities, or nat-
11 ural gas companies, under the jurisdiction of
12 the Commission—

13 (i) at hearings of the Commission;

14 (ii) in judicial proceedings in the
15 courts of the United States; and

16 (iii) at hearings or proceedings of
17 other Federal regulatory agencies and com-
18 missions;

19 (B) investigate independently, or within
20 the context of formal proceedings before the
21 Commission, the services provided by, the rates
22 charged by, and the valuation of the properties
23 of, public utilities, and natural gas companies,
24 under the jurisdiction of the Commission;

1 (C) develop means, such as public dissemi-
2 nation of information, consultative services, and
3 technical assistance, to ensure, to the maximum
4 extent practicable, that the interests of con-
5 sumers of electricity or natural gas provided by
6 public utilities, or natural gas companies, under
7 the jurisdiction of the Commission are ade-
8 quately represented in the course of any hear-
9 ing or proceeding described in subparagraph
10 (A); and

11 (D) petition the Federal Trade Commis-
12 sion or regional transmission organizations to
13 take actions to protect the interests of con-
14 sumers of electricity or natural gas provided
15 (directly or indirectly), by public utilities, or
16 natural gas companies, within the respective ju-
17 risdictions of the Federal Trade Commission or
18 regional transmission organizations; and

19 (E) propose legislation on matters relating
20 to the Commission, evaluate the impact of legis-
21 lation on such matters on consumers of elec-
22 tricity or natural gas, and testify before Con-
23 gress concerning legislation on such matters.

24 (c) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated \$25,000,000 for each

- 1 fiscal year beginning after the enactment of this Act to
- 2 carry out this section.

