

107TH CONGRESS
1ST SESSION

S. 900

To establish a Consumer Energy Commission to assess and provide recommendations regarding recent energy price spikes from the perspective of consumers.

IN THE SENATE OF THE UNITED STATES

MAY 16 (legislative day, MAY 15), 2001

Mr. DURBIN (for himself, Mr. DORGAN, Mr. SCHUMER, Mrs. BOXER, and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish a Consumer Energy Commission to assess and provide recommendations regarding recent energy price spikes from the perspective of consumers.

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 “Consumer Energy

5 Commission Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) there has been a sharp increase in the price
2 of gasoline, home heating oil, natural gas, and pro-
3 pane in the United States;

4 (2) electricity prices are expected to continue to
5 rise as a result of high natural gas prices, and cer-
6 tain regions have experienced price spikes in whole-
7 sale electricity costs;

12 (4) the Department of Energy has determined
13 that the economy would be likely to perform better
14 with stable or predictable energy prices;

15 (5) price spikes can be caused by many factors,
16 including insufficient inventories, supply disruptions,
17 refinery capacity limits, insufficient infrastructure,
18 possible over-regulation or under-regulation, flawed
19 deregulation, excessive consumption, over-reliance on
20 foreign supplies, insufficient research and develop-
21 ment of alternative energy sources, opportunistic be-
22 havior by energy companies, and abuse of market
23 power;

(7) the impact of price spikes, and possible responses to price spikes, on consumers and small businesses should be examined.

7 SEC. 3. CONSUMER ENERGY COMMISSION.

8 (a) ESTABLISHMENT.—There is established a com-
9 mission to be known as the “Consumer Energy Commis-
10 sion”.

11 (b) MEMBERSHIP.—

12 (1) IN GENERAL.—The Commission shall be
13 comprised of 11 members.

19 (A) 1 of whom shall represent consumer
20 groups focusing on energy issues; and

21 (B) 1 of whom shall represent the energy
22 industry.

10 (c) TERM.—A member shall be appointed for the life
11 of the Commission.

12 (d) INITIAL MEETING.—Not later than 20 days after
13 the date on which all members of the Commission have
14 been appointed, the Commission shall hold the initial
15 meeting of the Commission.

16 (e) CHAIRPERSON AND VICE CHAIRPERSON.—The
17 Commission shall select a Chairperson and Vice Chair-
18 person from among the members of the Commission.

19 (f) INFORMATION AND ADMINISTRATIVE EX-
20 PENSES.—The Federal agencies specified in subsection
21 (b)(3) shall provide the Commission such information and
22 such administrative expenses as the Commission requires
23 to carry out this section.

24 (g) DUTIES.—

25 (1) STUDY.—

(B) ENERGY PRODUCTS.—The Commission shall study the prices of

- 8 (i) electricity;
- 9 (ii) gasoline;
- 10 (iii) home heating oil;
- 11 (iv) natural gas; and
- 12 (v) propane.

13 (C) MATTERS TO BE STUDIED.—The study
14 shall—

15 (i) focus on the causes of the price
16 spikes, including insufficient inventories,
17 supply disruptions, refinery capacity limits,
18 insufficient infrastructure, possible over-
19 regulation or under-regulation, flawed de-
20 regulation, excessive consumption, over-re-
21 liance on foreign supplies, insufficient re-
22 search and development of alternative en-
23 ergy sources, opportunistic behavior by en-
24 ergy companies, and abuse of market
25 power; and

(ii) investigate market concentration, potential misuse of market power, and any other relevant market failures.

9 (B) recommendations for legislation and
10 administrative actions to protect consumers
11 from future price spikes in consumer energy
12 products.

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