

108TH CONGRESS  
1ST SESSION

# S. 723

To amend the Federal Power Act to provide refunds for unjust and unreasonable charges on electric energy in the State of California.

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IN THE SENATE OF THE UNITED STATES

MARCH 26, 2003

Mrs. BOXER 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 provide refunds for unjust and unreasonable charges on electric energy in the State of California.

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 “Electricity Gouging  
5       Refund Act of 2003”.

6       **SEC. 2. REFUNDS FOR EXCESSIVE CHARGES.**

7       Section 206 of the Federal Power Act (16 U.S.C  
8       824e) is amended by adding at the end the following:

9       “(e) REFUNDS FOR EXCESSIVE CHARGES.—

10       “(1) IN GENERAL.—

1           “(A) REFUNDS.—Notwithstanding any  
 2 other provision of this section, not later than 60  
 3 days after the date of enactment of this sub-  
 4 section, the Commission shall issue an order re-  
 5 quiring a refund of the portion of charges on  
 6 the transmission or sale of electric energy that  
 7 are or have been found by the Commission to  
 8 be unjust or unreasonable.

9           “(B) INTEREST.—A refund under subpara-  
 10 graph (A) shall include interest from the date  
 11 on which the charges were paid.

12           “(C) AMOUNT.—The total amount of re-  
 13 funds ordered under subparagraph (A) shall be  
 14 not less than \$8,900,000,000.

15           “(2) APPLICABILITY.—Paragraph (1) applies to  
 16 charges for electric energy transmitted or sold dur-  
 17 ing the period beginning on June 1, 2000, and end-  
 18 ing on June 19, 2001.

19           “(f) RENEGOTIATION OF CONTRACTS.—Not later  
 20 than 30 days after the date of enactment of this sub-  
 21 section, the Commission shall order the renegotiation of  
 22 the long-term electricity contracts entered into between  
 23 the energy companies and the State of California between  
 24 January 1 and May 31, 2001.”.

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