

114TH CONGRESS
1ST SESSION

S. 1037

To expand the provisions for termination of mandatory purchase requirements under the Public Utility Regulatory Policies Act of 1978.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2015

Mr. RISCH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To expand the provisions for termination of mandatory purchase requirements under the Public Utility Regulatory Policies Act of 1978.

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. RECOGNITION OF STATE DETERMINATIONS.**

4 Section 210(m) of the Public Utility Regulatory Poli-
5 cies Act of 1978 (16 U.S.C. 824a–3(m)) is amended—

6 (1) by redesignating paragraphs (3), (4), (5),
7 (6), and (7) as paragraphs (4), (5), (6), (7), and
8 (8), respectively;

9 (2) by inserting after paragraph (2) the fol-
10 lowing:

1 “(3) STATE DETERMINATION.—After the date
 2 of enactment of this paragraph, no electric utility
 3 shall be required to enter into a new contract or ob-
 4 ligation to purchase electric energy from a qualifying
 5 cogeneration facility or a qualifying small power pro-
 6 duction facility under this section if the State regu-
 7 latory agency having ratemaking authority over the
 8 electric utility has determined that the electric utility
 9 has no need to acquire additional generation re-
 10 sources in order to meet its obligation to serve cus-
 11 tomers in the public interest.”;

12 (3) in paragraph (4) (as so redesignated)—

13 (A) in the second sentence, by striking “of
 14 this subsection”; and

15 (B) by inserting “or in paragraph (3)”
 16 after “paragraph (1)” each place it appears;
 17 and

18 (4) in paragraph (5) (as so redesignated)—

19 (A) in the first sentence, by striking
 20 “paragraph (3)” and inserting “paragraph
 21 (4)”;

22 (B) in the second sentence, by striking “of
 23 this subsection”; and

- 1 (C) by inserting “or in paragraph (3)”
- 2 after “paragraph (1)” each place it appears.

