

was not committed or dedicated to interstate commerce as of November 8, 1978, solely by reason of any first sale of such natural gas.”

Subsec. (a)(1)(B). Pub. L. 101-60, §3(b)(7)(B), (C), redesignated subpar. (C) as (B) and struck out former subpar. (B) which related to committed or dedicated natural gas which was high-cost natural gas, new natural gas, or natural gas produced from any new, onshore production well.

Subsec. (a)(1)(C). Pub. L. 101-60, §3(b)(7)(C), (D), redesignated subpar. (D) as (C) and substituted “subparagraph (A) or (B)” for “subparagraph (A), (B), or (C)”. Former subpar. (C) redesignated (B).

Subsec. (a)(1)(D). Pub. L. 101-60, §3(b)(7)(C), redesignated subpar. (D) as (C).

Subsec. (a)(1)(E). Pub. L. 101-60, §3(b)(7)(B), struck out subpar. (E), “Certain additional natural gas”, which read as follows: “For purposes of section 1(b) of the Natural Gas Act, the provisions of the Natural Gas Act and the jurisdiction of the Commission under such Act shall not apply solely by reason of any first sale of natural gas which is committed or dedicated to interstate commerce as of July 25, 1989, and which is not subject to a maximum lawful price under part A of subchapter I of this chapter by reason of section 3331(f) of this title, effective as of the date such gas ceases to be subject to such maximum lawful price.”

Pub. L. 101-60, §3(a)(7)(A), substituted “Certain additional natural gas” for “Alaskan natural gas” in heading and amended text generally. Prior to amendment, text read as follows: “Subparagraph (B)(ii) and (iii) shall not apply with respect to natural gas produced from the Prudhoe Bay unit of Alaska and transported through the transportation system approved under the Alaska Natural Gas Transportation Act of 1976.”

Subsec. (b)(1)(A). Pub. L. 101-60, §3(b)(7)(E), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “Subject to paragraph (4), for purposes of sections 4 and 5 of the Natural Gas Act, any amount paid in any first sale of natural gas shall be deemed to be just and reasonable if—

“(i) such amount does not exceed the applicable maximum lawful price established under subchapter I of this chapter; or

“(ii) there is no applicable maximum lawful price solely by reason of the elimination of price controls pursuant to part B of subchapter I of this chapter.”

Subsec. (b)(1)(D). Pub. L. 101-60, §3(b)(7)(F), struck out before period at end “if such amount does not exceed the applicable maximum lawful price established under subchapter I of this chapter”.

Subsec. (c)(2). Pub. L. 101-60, §3(a)(7)(B), substituted “purchase of natural gas if, under subsection (b) of this section, such amount is deemed to be just and reasonable for purposes of sections 4 and 5 of such Act,” for “purchase of natural gas if—

“(A) under subsection (b) of this section, such amount is deemed to be just and reasonable for purposes of sections 4 and 5 of such Act, and

“(B) such recovery is not inconsistent with any requirement of any rule under section 3341 of this title (including any amendment under section 3342 of this title),”.

#### EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by section 3(b)(7) of Pub. L. 101-60 effective Jan. 1, 1993, see section 3(b) of Pub. L. 101-60, set out as a note under section 3372 of this title.

### § 3432. Effect on State laws

#### (a) Authority to prescribe maximum lawful prices

Nothing in this chapter shall affect the authority of any State to establish or enforce any maximum lawful price for the first sale of natural gas produced in such State.

#### (b) Common carriers

No person shall be subject to regulation as a common carrier under any provision of Federal or State law by reason of any transportation—

(1) pursuant to any order under section 3362(c) or section 3363(b), (c), (d), or (i) of this title; or

(2) authorized by the Commission under section 3371(a) of this title.

(Pub. L. 95-621, title VI, §602, Nov. 9, 1978, 92 Stat. 3411; Pub. L. 101-60, §3(b)(8), July 26, 1989, 103 Stat. 159.)

#### AMENDMENTS

1989—Subsec. (a). Pub. L. 101-60 struck out “lower” after “prescribe” in heading and struck out before period at end “which does not exceed the applicable maximum lawful price, if any, under subchapter I of this chapter”.

#### EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-60 effective Jan. 1, 1993, see section 3(b) of Pub. L. 101-60, set out as a note under section 3372 of this title.

### CHAPTER 61—SOFT DRINK INTERBRAND COMPETITION

Sec.	
3501.	Exclusive territorial licenses to manufacture, distribute, and sell trademarked soft drink products; ultimate resale to consumers; substantial and effective competition.
3502.	Price fixing agreements, horizontal restraints of trade, or group boycotts.
3503.	“Antitrust law” defined.

#### § 3501. Exclusive territorial licenses to manufacture, distribute, and sell trademarked soft drink products; ultimate resale to consumers; substantial and effective competition

Nothing contained in any antitrust law shall render unlawful the inclusion and enforcement in any trademark licensing contract or agreement, pursuant to which the licensee engages in the manufacture (including manufacture by a sublicensee, agent, or subcontractor), distribution, and sale of a trademarked soft drink product, of provisions granting the licensee the sole and exclusive right to manufacture, distribute, and sell such product in a defined geographic area or limiting the licensee, directly or indirectly, to the manufacture, distribution, and sale of such product only for ultimate resale to consumers within a defined geographic area: *Provided*, That such product is in substantial and effective competition with other products of the same general class in the relevant market or markets.

(Pub. L. 96-308, §2, July 9, 1980, 94 Stat. 939.)

#### SHORT TITLE

Pub. L. 96-308, §1, July 9, 1980, 94 Stat. 939, provided that: “This Act [enacting this chapter] may be cited as the ‘Soft Drink Interbrand Competition Act’.”

#### SUSPENSION OF STATUTE OF LIMITATIONS ON INSTITUTION OF ANTITRUST PROCEEDINGS BY UNITED STATES; ENFORCEMENT OF TRADEMARK LICENSING AGREEMENT PROVISIONS CONCERNING SOFT DRINK PRODUCTS

Pub. L. 96-308, §4, July 9, 1980, 94 Stat. 939, provided that: “In the case of any proceeding instituted by the United States described in subsection (i) of section 5 of