

agency which has authority to fix, modify, approve, or disapprove rates for the sale of electric energy by any electric utility (other than by such agency).

(Pub. L. 94-385, title II, §202, Aug. 14, 1976, 90 Stat. 1142; Pub. L. 95-617, title I, §143, Nov. 9, 1978, 92 Stat. 3134; Pub. L. 105-388, §5(b)(2), Nov. 13, 1998, 112 Stat. 3479.)

#### AMENDMENTS

1998—Par. (1). Pub. L. 105-388 made technical amendment by striking heading and designation which had been inserted by Pub. L. 95-617.

1978—Par. (1). Pub. L. 95-617 substituted “The term ‘Secretary’ means the Secretary of Energy” for “The term ‘Administrator’ means the Administrator of the Federal Energy Administration; except that after such Administration ceases to exist, such term means any officer of the United States designated by the President for purposes of this subchapter”.

### § 6803. Development of electric utility rate design proposals by Secretary; contents; submission to Congress; supporting analysis

(a) The Secretary shall develop proposals to improve electric utility rate design. Such proposals shall be designed to encourage energy conservation, minimize the need for new electrical generating capacity, and minimize costs of electric energy to consumers, and shall include (but not be limited to) proposals which provide for the development and implementation of—

- (1) load management techniques which are cost effective;
- (2) rates which reflect marginal cost of service, or time of use of service, or both;
- (3) ratemaking policies which discourage inefficient use of fuel and encourage economical purchases of fuel; and
- (4) rates (or other regulatory policies) which encourage electric utility system reliability and reliability of major items of electric utility equipment.

(b) The proposals prepared under subsection (a) of this section shall be transmitted to each House of Congress not later than 6 months after August 14, 1976, for review and for such further action as the Congress may direct by law. Such proposals shall be accompanied by an analysis of—

- (1) the projected savings (if any) in consumption of petroleum products, natural gas, electric energy, and other energy resources,
- (2) the reduction (if any) in the need for new electrical generating capacity, and of the demand for capital by the electric utility industry, and
- (3) changes (if any) in the cost of electric energy to consumers,

which are likely to result from the implementation nationally of each of the proposals transmitted under this subsection.

(Pub. L. 94-385, title II, §203, Aug. 14, 1976, 90 Stat. 1143; Pub. L. 95-617, title I, §143, Nov. 9, 1978, 92 Stat. 3134.)

#### AMENDMENTS

1978—Subsec. (a). Pub. L. 95-617 substituted “Secretary” for “Administrator”, meaning Administrator of the Federal Energy Administration.

### § 6804. Funding, administrative, and judicial authorities of Secretary

The Secretary may—

(1) fund (A) demonstration projects to improve electric utility load management procedures and (B) regulatory rate reform initiatives,

(2) on request of a State, a utility regulatory commission, or of any participant in any proceeding before a State utility regulatory commission which relates to electric utility rates or rate design, intervene and participate in such proceeding, and

(3) on request of any State, utility regulatory commission, or party to any action to obtain judicial review of an administrative proceeding in which the Secretary intervened or participated under paragraph (2), intervene and participate in such action.

(Pub. L. 94-385, title II, §204, Aug. 14, 1976, 90 Stat. 1143; Pub. L. 95-617, title I, §143, Nov. 9, 1978, 92 Stat. 3134.)

#### AMENDMENTS

1978—Pub. L. 95-617 substituted “Secretary” for “Administrator”, meaning Administrator of the Federal Energy Administration in two places.

### § 6805. Grants for State consumer protection offices by Secretary

#### (a) Establishment, operation, and purpose; qualifications for funds

The Secretary may make grants to States, or otherwise as provided in subsection (c) of this section, under this section to provide for the establishment and operation of offices of consumer services to assist consumers in their presentations before utility regulatory commissions. Any assistance provided under this section shall be provided only for an office of consumer services which is operated independently of any such utility regulatory commission and which is empowered to—

- (1) make general factual assessments of the impact of proposed rate changes and other proposed regulatory actions upon all affected consumers;
- (2) assist consumers in the presentation of their positions before utility regulatory commissions; and
- (3) advocate, on its own behalf, a position which it determines represents the position most advantageous to consumers, taking into account developments in rate design reform.

#### (b) Grants subject to State assurances on funds

Grants pursuant to subsection (a) of this section shall be made only to States which furnish such assurances as the Secretary may require that funds made available under such section will be in addition to, and not in substitution for, funds made available to offices of consumer services from other sources.

#### (c) Offices established by Tennessee Valley Authority

Assistance may be provided under this section to an office of consumer services established by the Tennessee Valley Authority, if such office is operated independently of the Tennessee Valley Authority.