

Editorial Notes

REFERENCES IN TEXT

Section 6726 of this title, referred to in subsec. (b)(3)(C), was repealed by Pub. L. 95-30, title VI, §603(i), May 23, 1977, 91 Stat. 166.

Section 6733 of this title, referred to in subsec. (b)(3)(C), was repealed by Pub. L. 104-66, title I, §1131(b), Dec. 21, 1995, 109 Stat. 725.

CHAPTER 81—ENERGY CONSERVATION AND RESOURCE RENEWAL**SUBCHAPTER I—ELECTRIC UTILITY RATE DESIGN INITIATIVES**

- Sec.
6801. Congressional findings and purpose.
6802. Definitions.
6803. Development of electric utility rate design proposals by Secretary; contents; submission to Congress; supporting analysis.
6804. Funding, administrative, and judicial authorities of Secretary.
6805. Grants for State consumer protection offices by Secretary.
6806. Statement in annual report.
6807. State utility regulatory assistance.
6807a. Energy efficiency grants to State regulatory authorities.
6808. Authorization of appropriations.

SUBCHAPTER II—ENERGY CONSERVATION STANDARDS FOR NEW BUILDINGS

6831. Congressional findings and purpose.
6832. Definitions.
6833. Updating State building energy efficiency codes.
6834. Federal building energy efficiency standards.
6835. Federal compliance.
6836. Support for voluntary building energy codes.
6837. Omitted.
6838. Cost-effective codes implementation for efficiency and resilience.
6839, 6840. Repealed.

SUBCHAPTER III—ENERGY CONSERVATION AND RENEWABLE-RESOURCE ASSISTANCE FOR EXISTING BUILDINGS

6851. Congressional findings and purpose.

PART A—WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS

6861. Congressional findings and purpose.
6862. Definitions.
6863. Weatherization program.
6864. Financial assistance.
6864a. Private sector investments.
6864b. Technical transfer grants.
6864c. Contractor optimization.
6864d. Financial assistance for WAP enhancement and innovation.
6864e. Hiring.
6865. Limitations on financial assistance.
6866. Monitoring and evaluation of funded projects; technical assistance; limitation on assistance.
6867. Administration of projects receiving financial assistance.
6868. Approval of application or amendment for financial assistance; administrative procedures applicable.
6869. Judicial review of final action by Secretary on application.
6870. Prohibition against discrimination; notification to funded project of violation; penalties for failure to comply.
6871. Annual report by Secretary and Director to President and Congress on weatherization program.

- Sec.
6872. Authorization of appropriations.
6873. Availability of labor.

PART B—ENERGY CONSERVATION AND RENEWABLE-RESOURCE OBLIGATION GUARANTEES

6881. Energy resource and renewable-resource obligation guarantee program.

PART C—MISCELLANEOUS PROVISIONS

6891. Exchange of energy information among the States.
6892. Annual report to Congress by Comptroller General.

SUBCHAPTER I—ELECTRIC UTILITY RATE DESIGN INITIATIVES**§ 6801. Congressional findings and purpose**

(a) The Congress finds that improvement in electric utility rate design has great potential for reducing the cost of electric utility services to consumers and current and projected shortages of capital, and for encouraging energy conservation and better use of existing electrical generating facilities.

(b) It is the purpose of this subchapter to require the Secretary to develop proposals for improvement of electric utility rate design and transmit such proposals to Congress; to fund electric utility rate demonstration projects; to intervene or participate, upon request, in the proceedings of utility regulatory commissions; and to provide financial assistance to State offices of consumer services to facilitate presentation of consumer interests before such commissions.

(Pub. L. 94-385, title II, §201, Aug. 14, 1976, 90 Stat. 1142; Pub. L. 95-91, title III, §301(a), title VII, §§703, 707, Aug. 4, 1977, 91 Stat. 577, 606, 607.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 94-385, §1, Aug. 14, 1976, 90 Stat. 1125, provided: "That this Act [enacting this chapter, section 6327 of this title, section 1701z-8 of Title 12, Banks and Banking, sections 787 and 790 to 790h of Title 15, Commerce and Trade, amending sections 5818, 6211, 6295, 6323, 6325, and 6326 of this title and sections 757, 764, 766, 772, 774, 777 and 784 of Title 15, and enacting provisions set out as notes under sections 6801, 6831, and 6851 of this title, and sections 753, 757, 761, and 790 of Title 15] may be cited as the 'Energy Conservation and Production Act'."

Pub. L. 94-385, title III, §301, Aug. 14, 1976, 90 Stat. 1144, provided that: "This title [enacting subchapter II of this chapter] may be cited as the 'Energy Conservation Standards for New Buildings Act of 1976'."

Pub. L. 94-385, title IV, §401, Aug. 14, 1976, 90 Stat. 1150, provided that: "This title [enacting subchapter III of this chapter, section 6327 of this title, and section 1701z-8 of Title 12, Banks and Banking, and amending sections 6323, 6325, and 6326 of this title] may be cited as the 'Energy Conservation in Existing Buildings Act of 1976'."

TRANSFER OF FUNCTIONS

"Secretary", meaning Secretary of Energy, substituted for "Federal Energy Administration" in subsec. (b) pursuant to sections 301(a), 703, and 707 of Pub. L. 95-91, which are classified to sections 7151(a), 7293, and 7297 of this title and which terminated Federal Energy Administration and transferred its functions (with certain exceptions) to Secretary of Energy.

§ 6802. Definitions

As used in this subchapter:

(1) The term “Secretary” means the Secretary of Energy.

(2) The term “electric utility” means any person, State agency, or Federal agency which sells electric energy.

(3) The term “Federal agency” means any agency or instrumentality of the United States.

(4) The term “State agency” means a State, political subdivision thereof, or any agency or instrumentality of either.

(5) The term “State utility regulatory commission” means (A) any utility regulatory commission which is a State agency or (B) the Tennessee Valley Authority.

(6) The term “State” means any State, the District of Columbia, Puerto Rico, and any territory or possession of the United States.

(7) The term “utility regulatory commission” means any State agency or Federal 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.)

Editorial Notes

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) shall be transmitted to each House of Con-

gress 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.)

Editorial Notes

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.)

Editorial Notes

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), 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