

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 114-20**  
**(RATEPAYER PROTECTION ACT OF 2015)**  
**OFFERED BY MR. MCNERNEY OF CALIFORNIA**

Strike section 2.

Redesignate section 3 as section 2 and amend such section (as so redesignated) to read as follows:

**1 SEC. 2. RATEPAYER PROTECTION.**

2 (a) EFFECTS OF PLANS.—In developing a State or  
3 Federal plan pursuant to any final rule described in sub-  
4 section (c), a State or the Administrator shall—

5 (1) consult with the State’s public utility com-  
6 mission or public service commission, and the Elec-  
7 tric Reliability Organization; and

8 (2) to the extent available, consider any inde-  
9 pendent reliability analysis prepared by such entities  
10 during development of such plan.

11 (b) INDEPENDENT RELIABILITY ANALYSIS.—In pre-  
12 paring an independent reliability analysis for purposes of  
13 subsection (a), a State’s public utility commission or pub-  
14 lic service commission, and the Electric Reliability Organi-

1 zation, shall evaluate the anticipated effects of implemen-  
2 tation and enforcement of the final rule on—

3 (1) regional electric reliability and resource ade-  
4 quacy;

5 (2) operation of wholesale electricity markets  
6 within the region involved;

7 (3) existing and planned transmission and dis-  
8 tribution infrastructure; and

9 (4) projected electricity demands.

10 (c) FINAL RULES DESCRIBED.—A final rule de-  
11 scribed in this subsection is any final rule to address car-  
12 bon dioxide emissions from existing sources that are fossil  
13 fuel-fired electric utility generating units under section  
14 111(d) of the Clean Air Act (42 U.S.C. 7411(d)), includ-  
15 ing any final rule that succeeds—

16 (1) the proposed rule entitled “Carbon Pollu-  
17 tion Emission Guidelines for Existing Stationary  
18 Sources: Electric Utility Generating Units” pub-  
19 lished at 79 Fed. Reg. 34830 (June 18, 2014); or

20 (2) the supplemental proposed rule entitled  
21 “Carbon Pollution Emission Guidelines for Existing  
22 Stationary Sources: EDUs in Indian Country and  
23 U.S. Territories; Multi-Jurisdictional Partnerships”  
24 published at 79 Fed. Reg 65482 (November 4,  
25 2014).

1 (d) DEFINITIONS.—In this section, the term “Elec-  
2 tric Reliability Organization” has the meaning given to  
3 such term in section 215(a) of the Federal Power Act (16  
4 U.S.C. 824o(a)).

