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:

SEC. 2. RATEPAYER PROTECTION.

(a) EFFECTS OF PLANS.—In developing a State or Federal plan pursuant to any final rule described in subsection (c), a State or the Administrator shall—

(1) consult with the State’s public utility commission or public service commission, and the Electric Reliability Organization; and

(2) to the extent available, consider any independent reliability analysis prepared by such entities during development of such plan.

(b) INDEPENDENT RELIABILITY ANALYSIS.—In preparing an independent reliability analysis for purposes of subsection (a), a State’s public utility commission or public service commission, and the Electric Reliability Organi-
zation, shall evaluate the anticipated effects of implement-
tation and enforcement of the final rule on—

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

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

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

(4) projected electricity demands.

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

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

(2) the supplemental proposed rule entitled
“Carbon Pollution Emission Guidelines for Existing
Stationary Sources: EDUs in Indian Country and
U.S. Territories; Multi-Jurisdictional Partnerships”
(d) DEFINITIONS.—In this section, the term “Electric Reliability Organization” has the meaning given to such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).