



113TH CONGRESS
2D SESSION

S. 2947

To amend the Federal Power Act to clarify the authority of the Federal Energy Regulatory Commission to prescribe just, reasonable, and not unduly discriminatory or preferential terms, conditions, and compensation applicable to wholesale demand response resource participation in organized wholesale energy, capacity, and ancillary service markets.

IN THE SENATE OF THE UNITED STATES

Mr. HEINRICH introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Federal Power Act to clarify the authority of the Federal Energy Regulatory Commission to prescribe just, reasonable, and not unduly discriminatory or preferential terms, conditions, and compensation applicable to wholesale demand response resource participation in organized wholesale energy, capacity, and ancillary service markets

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TREATMENT OF WHOLESALE DEMAND RE-**
2 **SPONSE RESOURCES.**

3 Section 206(a) of the Federal Power Act (16 U.S.C.
4 824e(a)) is amended—

5 (1) by designating the first through third sen-
6 tences as paragraphs (1) through (3), respectively;
7 and

8 (2) by adding at the end the following:

9 “(4) TREATMENT OF WHOLESALE DEMAND RE-
10 SPONSE RESOURCES.—

11 “(A) DEFINITIONS.—In this paragraph:

12 “(i) DEMAND RESPONSE.—The term
13 ‘demand response’ means a reduction in
14 the consumption of electric energy by cus-
15 tomers from their expected consumption in
16 response to an increase in the price of elec-
17 tric energy or to incentive payments de-
18 signed to induce lower consumption of elec-
19 tric energy.

20 “(ii) DEMAND RESPONSE RE-
21 SOURCE.—The term ‘demand response re-
22 source’ means a resource capable of pro-
23 viding demand response.

24 “(B) AUTHORITY.—The Commission may
25 prescribe just, reasonable, and not unduly dis-
26 criminatory or preferential terms, conditions,

1 and compensation applicable to wholesale de-
2 mand response resource participation in orga-
3 nized wholesale energy, capacity, and ancillary
4 service markets.”.