

115TH CONGRESS  
1ST SESSION

# S. 186

To amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2017

Mr. MARKEY (for himself, Ms. WARREN, Mr. WHITEHOUSE, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Ratepayer Ac-  
5 countability, Transparency, and Efficiency Standards  
6 Act” or the “Fair RATES Act”.

1 **SEC. 2. AMENDMENT TO THE FEDERAL POWER ACT.**

2       Section 205(d) of the Federal Power Act (16 U.S.C.  
3 824d(d)) is amended by adding at the end the following:  
4 “Any absence of action by the Commission that allows a  
5 change to take effect under this section (including the  
6 Commission allowing the 60 days of notice provided under  
7 this section to expire without Commission action) shall be  
8 considered to be an order issued by the Commission ac-  
9 cepting the change for purposes of section 313.”.

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