

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To protect transmission contracts in the Pacific Northwest.

**IN THE SENATE OF THE UNITED STATES—109th Cong., 1st Sess.**

**S.** \_\_\_\_\_

To enhance the energy security of the United States, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by \_\_\_\_\_ to Title XII—Electricity (END05371.LC)

Viz:

1 On page 52, between lines 12 and 13, insert the following:  
2

3 **SEC. 1236. PROTECTION OF TRANSMISSION CONTRACTS IN**  
4 **THE PACIFIC NORTHWEST.**

5 Part II of the Federal Power Act (16 U.S.C. 824 et  
6 seq.) (as amended by section 1235) is amended by adding  
7 at the end the following:

1 **“SEC. 219. PROTECTION OF TRANSMISSION CONTRACTS IN**  
2 **THE PACIFIC NORTHWEST.**

3 “(a) DEFINITION OF ELECTRIC UTILITY OR PER-  
4 SON.—In this section, the term ‘electric utility or person’  
5 means an electric utility or person that—

6 “(1) as of the date of enactment of the Energy  
7 Policy Act of 2005 holds firm transmission rights  
8 pursuant to contract or by reason of ownership of  
9 transmission facilities; and

10 “(2) is located—

11 “(A) in the Pacific Northwest, as that re-  
12 gion is defined in section 3 of the Pacific  
13 Northwest Electric Power Planning and Con-  
14 servation Act (16 U.S.C. 839a); or

15 “(B) in that portion of a State included in  
16 the geographic area proposed for a regional  
17 transmission organization in Commission Dock-  
18 et Number RT01–35 on the date on which that  
19 docket was opened.

20 “(b) PROTECTION OF TRANSMISSION CONTRACTS.—  
21 Nothing in this Act confers on the Commission the author-  
22 ity to require an electric utility or person to convert to  
23 tradable or financial rights—

24 “(1) firm transmission rights described in sub-  
25 section (a)(1); or

1           “(2) firm transmission rights obtained by exer-  
2           cising contract or tariff rights associated with the  
3           firm transmission rights described in subsection  
4           (a)(1).”.

5           On page 52, line 17, strike “1235” and insert  
6           “1236”.

7           On page 52, line 19, strike “**219**” and insert “**220**”.

8           On page 76, line 12, strike “**220**” and insert “**221**”.

9           On page 79, line 5, strike “**221**” and insert “**222**”.

10          On page 79, line 18, strike “**222**” and insert “**223**”.

11          On page 89, strike line 22 and insert the following:

12                       220, 221, 222, and 223”; and

13          On page 90, strike line 4 and insert the following:

14                       221, 222, and 223”; and

15          On page 90, strike line 7 and insert the following:

4

1                   212, 215, 216, 217, 218, 219, 220, 221,  
2                   222, or 223”.