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# FEDERAL ENERGY REGULATORY COMMISSION



WASHINGTON, D.C. 20426

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## NEWS RELEASE

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### FOR IMMEDIATE RELEASE

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EL01-118-000

### COMMISSION PROPOSES TO REVISE MARKET-BASED RATE TARIFFS, ESTABLISHES REFUND EFFECTIVE DATE

The Federal Energy Regulatory Commission today proposed to revise all existing market-based rate tariffs and authorizations to prohibit anticompetitive behavior or the exercise of market power. In addition, the Commission instituted a proceeding to establish a refund effective date should it find that electric power rates are unjust and unreasonable.

The order seeks comment on the proposal to revise all market-based rate tariffs and authorizations to include a condition explicitly prohibiting anticompetitive behavior. The order provides examples of prohibited practices, including physical and economic withholding of supplies.

The Commission expressed its concern about the potential for public utilities with market-based rate authorization to exercise market power or engage in anticompetitive behavior and affirmed its commitment to ensure that rates are just and reasonable. While it did not find that particular sellers have exercised market power, the Commission proposed to take steps now to minimize the potential for any such market power abuse.

Today's order establishes a refund effective date, under section 206 of the Federal Power Act, 60 days from the date on which today's order is published in the *Federal Register*.

R-01-58

(more)

Should a public utility engage in a prohibited behavior, its rates will be subject to increased Commission scrutiny, potential refunds, and restrictions on or termination of its market-based rate authority.

Initial comments on the order are due in 15 days and reply comments will be due 15 days thereafter.

R-01- 58

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