



FEDERAL ENERGY REGULATORY COMMISSION

November 20, 2008

Docket No.: AD07-13-001

Commissioner Marc Spitzer

Statement of Commissioner Marc Spitzer on Staff Enforcement Report

“The Energy Policy Act of 2005 (EPAAct 2005) significantly enhanced the Federal Energy Regulatory Commission’s (Commission) enforcement role. Among other things, EPAAct 2005 increased the Commission’s maximum civil penalty authority to \$1 million per day per violation, expanded the scope of the statutory provisions to which civil penalty authority apply, and extended the Commission’s jurisdiction to prohibit energy market manipulation and to enforce reliability standards for the bulk transmission system. However, as should be clear to all by now, compliance, not assessment of penalties, is the central goal of FERC’s enforcement efforts.

During my tenure with the Commission, we have heard repeated requests that the Commission provide with guidance as to how the Commission approaches enforcement and compliance matters. The staff report provides exactly this kind of information. The staff report provides statistical and summary data regarding, among other things, recent rulemakings, settlements, self-reports, investigations, and audits. This is an important step in providing transparency of the Commission’s enforcement efforts. I commend this report to anyone, the regulated community or the general public, seeking information about how the Office of Enforcement has conducted its enforcement program over the preceding year.

I support the Commission’s enforcement program and our Enforcement Staff. I thank Staff for their presentation and hard work in putting together the 2008 Report on Enforcement.”