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Federal Power Act – Historical Perspectives: U.S. House of Representatives Committee on Energy and Commerce/Subcommittee on Energy and Power September 7th Hearing

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The Subcommittee on Energy and Power of the United States House of Representatives Energy and Commerce Committee (“Committee”) held a September 7th hearing entitled *Federal Power Act: Historical Perspectives (“Hearing”)*.

The Federal Power Act (“FPA”) addresses:

- Governing of federal regulation development of power
- Creation of the Federal Power Commission (now the Federal Energy Regulatory Commission) as the licensing authority for certain interstate transmissions and wholesale power sales along with most hydroelectric power

The FPA has been amended several times since its original enactment in 1920. The most recent comprehensive amendments occurred in the Energy Policy Act of 2005.

The September 7th *Hearing’s* purpose was to:

...explore the evolution of the Federal Power Act, with special emphasis on electricity markets over the past twenty years.

The Committee expects to hold a series of hearings on the FPA.

Witnesses testifying included:

- Clifford M. (“Mike”) Naeve, former Commissioner, Federal Energy Regulatory Commission; Partner, Skadden, Arps, Slate, Meagher & Flom LLP
- Linda Stuntz, former Deputy Secretary of the U.S. Department of Energy; Partner, Stuntz, Davis & Staffier, P.C.
- Susan Tomasky, former General Counsel, Federal Energy Regulatory Commission; former President-AEP Transmission of American Electric Power Corporation
- Doug Smith, former General Counsel, Federal Energy Regulatory Commission; Partner, Van Ness Feldman, LLP

The issues addressed at the *Hearing* included:

- Over the past two decades, how did FERC seek to improve wholesale electric markets?
- What were the nationwide expectations for the wholesale markets after restructuring?
- What economic and policy factors were causing electricity prices to change in the years prior to restructuring?
- How were electricity prices impacting American workers, jobs, and economic growth prior to restructuring?
- How were retail consumers of electricity expected to benefit from the changes in the wholesale markets?
- What were the concerns of state energy regulators as FERC began to restructure wholesale markets?
- How might this history provide us with guidance for improving wholesale markets in the future?

[A copy of the Committee Majority and Minority Staff memorandum providing background information can be found here.](#)

[A link to the witnesses' prepared statements can be found here.](#)