

Energy Policy Act of 2005

SEC. 139. ENERGY EFFICIENT ELECTRIC AND NATURAL GAS UTILITIES STUDY.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the National Association of Regulatory Utility Commissioners and the National Association of State Energy Officials, shall conduct a study of State and regional policies that promote cost-effective programs to reduce energy consumption (including energy efficiency programs) that are carried out by—

- (1) utilities that are subject to State regulation; and
- (2) nonregulated utilities.

(b) **CONSIDERATION.**—In conducting the study under subsection (a), the Secretary shall take into consideration—

- (1) performance standards for achieving energy use and demand reduction targets;
- (2) funding sources, including rate surcharges;
- (3) infrastructure planning approaches (including energy efficiency programs) and infrastructure improvements;
- (4) the costs and benefits of consumer education programs conducted by State and local governments and local utilities to increase consumer awareness of energy efficiency technologies and measures; and
- (5) methods of—
 - (A) removing disincentives for utilities to implement energy efficiency programs;
 - (B) encouraging utilities to undertake voluntary energy efficiency programs; and
 - (C) ensuring appropriate returns on energy efficiency programs.

(c) **REPORT.**— Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes—

- (1) the findings of the study; and
- (2) any recommendations of the Secretary, including recommendations on model policies to promote energy efficiency programs.