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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

# H. R.

To amend the Clean Air Act to provide for the enhancement of a penalty for an investor-owned electric or gas utility that increase rates within the 2-year period occurring before or after the assessment of the penalty.

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## IN THE HOUSE OF REPRESENTATIVES

Ms. TLAIB introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To amend the Clean Air Act to provide for the enhancement of a penalty for an investor-owned electric or gas utility that increase rates within the 2-year period occurring before or after the assessment of the penalty.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Make DTE Pay Act”.

5 **SEC. 2. CLEAN AIR ACT PENALTY ENHANCEMENT.**

6 Section 120(b) of the Clean Air Act (42 U.S.C.  
7 7420(b)) is amended—

1           (1) in paragraph (8), by striking “and” after  
2 the semicolon;

3           (2) in paragraph (9), by striking “(d)(4).” and  
4 inserting “(d)(4); and”; and

5           (3) by adding after paragraph (9) the following:

6           “(10) notwithstanding any other provision of  
7 this section, require the State or the Administrator  
8 to, with respect to a noncomplying stationary source  
9 that is owned or operated by an investor-owned elec-  
10 tric utility or gas utility, adjust the amount of the  
11 penalty assessed, by increasing the penalty by an  
12 amount that is equal to the amount of the original  
13 assessment, for each rate increase that the utility—

14           “(A) received in the two year period pre-  
15 ceding the original assessment of the penalty;  
16 and

17           “(B) seeks in the two year period following  
18 the original assessment (regardless of whether  
19 such rate increase is approved or is pending be-  
20 fore a regulatory authority).”.