RATEPAYER JUSTICE AND COMMERICAL POWER ACCOUNTABILITY ACT
H.R. 9700 – Introduced by U.S. Representative Marcy Kaptur (OH-09) on July 15, 2026

Section by Section Summary

Section 1. Short Title. Designates the bill as "The Ratepayer Justice and Commercial Power Accountability Act."

Section 2. Purpose. Sets forth five findings and states that the purpose of the legislation is to return financial resources to utility ratepayers and their communities that were unjustly taken from them through overcharges or excessive utility bills and used by utilities or utility executives to finance misconduct.

Section 3. Establishment of Ratepayer Justice Fund and List of Misconduct Events. Establishes in the Treasury of the United States a "Ratepayer Justice Fund." Overcharges collected from ratepayers by utilities for misconduct events are to be deposited into the Fund, from which: (1) the Secretary of Treasury is to make direct relief payments to affected ratepayers, and (2) the Secretary of Energy is to award community restoration grants to affected communities.

Within one year after the date the bill becomes law, the Secretary of the Treasury—in consultation with the Attorney General of the United States and the Secretary of Energy—is required to publish in the *Federal Register* a list of all misconduct events that have occurred over the past 20 years and for which affected ratepayers would be entitled to file claims for direct relief payments.

The Secretary is further required to keep the list regularly updated should future misconduct events occur. Citizens, including consumer advocates, may petition the Secretary to add a misconduct event to the list if it has not already been recognized. The Secretary must issue a determination on any listing petition within 90 days of receiving it.

Section 4. Funding Sources. Directs the Secretary of the Treasury, in coordination with the Federal Energy Regulatory Commission (FERC), to: (1) calculate the amount of "unjust enrichment" obtained by utilities, utility executives, and lobbyists through misconduct; (2) collect these amounts from utilities, utility executives, and lobbyists responsible for such misconduct; and (3) deposit the collected amounts into the Ratepayer Justice Fund.

Section 5. Direct Relief Payments for Eligible Ratepayers. Requires the Secretary of the Treasury, through the Internal Revenue Service (IRS), to provide direct relief payments as refundable tax credits from the Ratepayer Justice Fund to affected ratepayers who submit a claim for such payment through their annual Federal tax return with an attestation under penalty of perjury. If a ratepayer has no tax liability and is otherwise not required to file a Federal tax return, the Secretary must provide direct payment to that ratepayer through alternative means established by regulation. The Secretary of the Treasury has six months from the date the bill becomes law to establish the system to provide these direct relief payments, and is required to issue direct relief payments to eligible ratepayers who submit verified claims within six months of a final determination establishing liability by a utility or utility executive for a misconduct event. Requires the Secretary of Energy in consultation with FERC, State public utility commissions, and State consumer advocate offices or comparable public counsel, to: (1) use objective and verifiable evidence to calculate total consumer injury per misconduct event; (2) ensure similarly situated ratepayers within the same customer class receive substantially equivalent proportional restitution; and (3) utilize customer billing records, State public utility commission records, and other reliable regulatory records to verify allocations and minimize administrative burden.

Each ratepayer may receive only one direct relief payment per misconduct event and in order to receive such payment must file their claim within four years of the misconduct event being recognized by the Secretary of the Treasury through publication of the list of misconduct events in the *Federal Register*. For direct relief payments claimed by ratepayers who are not required to file a Federal tax return, residential ratepayers are prioritized over non-residential ratepayers. Ratepayers are to receive interest on the amounts they were overcharged for utility misconduct and to be reimbursed through the form of direct relief payments.

Section 6. Consumer Advocates. Authorizes the Secretary of Treasury, upon certification by the Secretary of Energy, to reimburse from the Ratepayer Justice Fund any consumer advocates who materially contributed to publicly revealing and proving a misconduct event on the part of a utility or utility executive.

Section 7. Ratepayer Community Restoration Grants. Directs the Secretary of Energy to reserve up to five percent of an "unjust enrichment" assessment and collection for the Ratepayer Justice Fund per misconduct event to be used for the awarding of grants to local governments and community-based organizations in the harmed community for infrastructure improvements, clean energy transition and grid resiliency projects, water resource management, environmental remediation, small business development, and other economic development projects determined appropriate by the Secretary. Prohibits grant funds from being used for any lobbying, campaigning, or other influence-related activities. Allows the Secretary of Energy to use up to five percent of amounts made available for these grants under Section 3 for administrative costs associated with awarding these grants.

Section 8. Prioritization of Investments by Department of Energy for Grid Infrastructure, Resiliency, and Modernization. Requires the Secretary of Energy to prioritize communities and regions harmed by utility misconduct for Federal technical and financial assistance for improvements to grid infrastructure.

Section 9. Enforcement. Authorizes the Attorney General of the United States to bring civil actions against utilities and utility executives to enforce this law, including collection of unjust enrichment amounts determined under Section 4 for deposit into the Ratepayer Justice Fund. Requires mandatory imprisonment for any utility executive convicted of bribery and for any public official convicted of taking a bribe from anyone associated with, working on behalf of, or representing a utility company.

Section 10. Consultation with State Officials and Coordination with State Resources. Requires the Secretary of Energy to consult an applicable State public utility commission or regulatory entity, as well as the applicable State consumer advocate office or comparable public counsel, and FERC to efficiently identify ratepayers eligible for direct relief payments authorized under Section 4, communities eligible for ratepayer community restoration grants under Section 5, and consumer advocates eligible for reimbursement under Section 6 for each misconduct event. Establishes an Intergovernmental Ratepayer Restitution Working Group to develop uniform guidance for calculating consumer injury, allocating restitution, and expediting the distribution of direct relief payments to ratepayers.

Section 11. Reporting and Transparency. Requires the Secretary of Energy, including through FERC where applicable, to annually report to Congress on: (1) unjust enrichment amounts collected from utilities and utility executives responsible for misconduct events and disbursed from the Ratepayer Justice Fund; (2) the number of ratepayers who receive direct relief payments; (3) the list of communities awarded ratepayer community restoration grants and the projects and activities funded by such grants; (4) any unresolved ratepayer direct relief payment claims and enforcement actions relating to such claims; and (5) the status of interagency and intergovernmental consultations to execute this law undertaken in the preceding year.

The Secretary of the Energy is also required to maintain on the Internet a fully searchable database, at no charge to the public, of each unjust enrichment assessment calculated by the Secretary of the Treasury under Section 4 for utilities and utility executives that partook in misconduct, and of ratepayer community restoration grants awarded under Section 7. Protects individual ratepayer information as confidential and prohibits external disclosure of such information by Federal agencies and authorities charged with carrying out this law.

Section 12. Operational and Safety Conditions of Nuclear Power Plants Affected by Misconduct Events. Requires the Secretary of Energy, acting through FERC and in consultation with the Nuclear Regulatory Commission (NRC), to prepare and publish a report within two years of the bill becoming law that describes the operational condition of each nuclear power plant owned or operated by a utility that was responsible for misconduct, and to account for the increased costs to maintain and repair infrastructure at these nuclear power plants that results from earlier underinvestment, negligence, malfeasance, and misconduct. Within a year of publication of that report from the Department of Energy, the U.S. Government Accountability Office (GAO) is to assess the Department of Energy's thoroughness, accuracy, and soundness of methodology in preparing the report and to make recommendations for operational, safety, and process improvements for applicable nuclear power plants.

Section 13. Rules. Authorizes the Secretary of the Treasury to issue rules and guidance as determined necessary to carry out this law.

Section 14. Definitions. Technically defines for the purposes of this legislation 20 commonly used terms throughout the legislation, including C-suite executive, class, clean energy project, community development financial institution, covered misconduct, covered utility, designated community, eligible ratepayer, final determination, lobbyist, misconduct event, overcharge, public official, rate, rate order, regional development organization, State actor, State, State commission, and working group.