

Union Calendar No. 5

113TH CONGRESS
1ST SESSION

H. R. 316

[Report No. 113-7]

To reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2013

Ms. ESTY introduced the following bill; which was referred to the Committee on Energy and Commerce

FEBRUARY 4, 2013

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

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 “Collinsville Renewable
5 Energy Promotion Act”.

6 **SEC. 2. REINSTATEMENT OF EXPIRED LICENSES AND EX-**
7 **TENSION OF TIME TO COMMENCE CON-**
8 **STRUCTION OF PROJECTS.**

9 Subject to section 4 of this Act and notwithstanding
10 the time period under section 13 of the Federal Power
11 Act (16 U.S.C. 806) that would otherwise apply to Federal
12 Energy Regulatory Commission projects numbered 10822
13 and 10823, the Federal Energy Regulatory Commission
14 (referred to in this Act as the “Commission”) may—

15 (1) reinstate the license for either or each of
16 those projects; and

17 (2) extend for 2 years after the date on which
18 either or each project is reinstated under paragraph
19 (1) the time period during which the licensee is re-
20 quired to commence the construction of such
21 projects.

22 Prior to reaching any final decision under this section, the
23 Commission shall provide an opportunity for submission
24 of comments by interested persons, municipalities, and

1 States and shall consider any such comment that is timely
2 submitted.

3 **SEC. 3. TRANSFER OF LICENSES TO THE TOWN OF CANTON,**
4 **CONNECTICUT.**

5 Notwithstanding section 8 of the Federal Power Act
6 (16 U.S.C. 801) or any other provision thereof, if the
7 Commission reinstates the license for, and extends the
8 time period during which the licensee is required to com-
9 mence the construction of, a Federal Energy Regulatory
10 Commission project under section 2, the Commission shall
11 transfer such license to the town of Canton, Connecticut.

12 **SEC. 4. ENVIRONMENTAL ASSESSMENT.**

13 (a) DEFINITION.—For purposes of this section, the
14 term “environmental assessment” shall have the same
15 meaning as is given such term in regulations prescribed
16 by the Council on Environmental Quality that implement
17 the National Environmental Policy Act of 1969 (42 U.S.C.
18 4321 et seq.).

19 (b) ENVIRONMENTAL ASSESSMENT.—Not later than
20 180 days after the date of enactment of this Act, the Com-
21 mission shall complete an environmental assessment for
22 Federal Energy Regulatory Commission projects num-
23 bered 10822 and 10823, updating, to the extent nec-
24 essary, the environmental analysis performed during the
25 process of licensing such projects.

1 (c) COMMENT PERIOD.—Upon issuance of the envi-
2 ronmental assessment required under subsection (b), the
3 Commission shall—

4 (1) initiate a 30-day public comment period;

5 and

6 (2) before taking any action under section 2 or
7 3—

8 (A) consider any comments received during
9 such 30-day period; and

10 (B) incorporate in the license for the
11 projects involved, such terms and conditions as
12 the Commission determines to be necessary,
13 based on the environmental assessment per-
14 formed and comments received under this sec-
15 tion.

16 **SEC. 5. DEADLINE.**

17 Not later than 270 days after the date of enactment
18 of this Act, the Commission shall—

19 (1) make a final decision pursuant to para-
20 graph (1) of section 2; and

21 (2) if the Commission decides to reinstate one
22 or both of the licenses under such paragraph and ex-
23 tend the corresponding deadline for commencement
24 of construction under paragraph (2) of such section,
25 complete the action required under section 3.

1 **SEC. 6. PROTECTION OF EXISTING RIGHTS.**

2 Nothing in this Act shall affect any valid license
3 issued by the Commission under section 4 of the Federal
4 Power Act (16 U.S.C. 797) on or before the date of enact-
5 ment of this Act or diminish or extinguish any existing
6 rights under any such license.

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